

Journal of the House

EIGHTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, June 8, 2017, 1:00 p.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 120 members present.

Reps. Aurand, Barker, Pittman and Sutton were excused on excused absence by the Speaker.

Present later: Rep. Pittman.

Due to the death of Rep. Terrell, District #102, the House is now organized with 124 members.

Prayer by Rep. Phelps:

Almighty God,
today as we go about our business,
and remember Representative Patsy Terrell,
her family and many friends,
help us to think on these things:
what is true, what is noble,
what is reputable, what is authentic,
what is compelling, what is gracious.
Help us to think the best, not the worst;
the beautiful, not the ugly.
Help us to think of things to praise,
not things to curse.
Whatever we have seen, received or heard
from You and Your Word,
help us to put into practice.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Judd-Jenkins.

PERSONAL PRIVILEGE

The following remarks of Speaker Ryckman are spread upon the Journal:

Colleagues,

I want to make a few remarks about the heartbreaking loss of Representative Patsy Terrell. It is such a shock to see the reminder of her loss with her empty seat on the floor today.

It seems fitting to use her own words from her Facebook page, as she was a great communicator to her constituents, especially on social media. Her intro reads: I read, write, paint, think, create, repeat.

Representative Terrell was indeed full of creativity, extremely thoughtful, and had a bright personality.

She will be greatly missed by this legislative body, and the people of the 102nd District, and more importantly all of those around the state that have been inspired by her life.

We send our thoughts, prayers, and love to her family and friends during this difficult time.

PERSONAL PRIVILEGE

The following remarks of Rep. Ward are spread upon the Journal:

In Memoriam Representative Patsy Terrell.

Thank you, Mr. Speaker, for providing me an opportunity to say a few words about our friend and colleague, Patsy Terrell.

First, I want to thank Governor Brownback for lowering the flags to half-mast in honor of her.

I met Patsy Terrell approximately 16 months ago at a local Italian Restaurant in downtown Hutchinson. She wore a bright green dress and a large jade brooch. We were there to talk about, in her words, a crazy idea of her becoming a state representative. If you have ever recruited a candidate you know there is a moment when you know have gotten them. Well I “got” Patsy that day. While it wasn’t official until after several more calls, I knew she would run after that first meeting. How? I saw it in her eyes when we talked about helping the people in her district through constituent services, helping people work through state government to get solutions, and getting people answers from state agencies. When we ended the meeting, she leaned over and gave me a look that said, “don’t bullshit me because I’ll know it if you do it,” and then she asked, “Do you think I can do it?” I said I did. And on November 8, 2016, she did.

The last time I talked with Patsy was on Tuesday evening as I prepared to leave the restaurant where several of us had gathered after the income tax reform override vote. Patsy arrived and came over and gave me a big hug, saying how proud she was to have been a part of such an historic night. She said how happy she was to be a legislator and her eyes were bright with excitement and pride.

Patsy was a regular user of social media, but she also loved the written word. During the time I knew her, I, like several of you, received numerous handwritten notes from her. The last one I received just a couple of weeks ago, after the Representative from Johnson County had his heart attack. The note said being a legislator is stressful and being leader is stressful, so please be sure to take care of yourself. That was Patsy. Always thinking of others and nurturing them.

She had incredible timing. She would stop by my office with an encouraging word at exactly the right moment, usually following a difficult caucus meeting or vigorous debate.

She was kind and generous and strong. A member of my caucus pointed out a quote from Patsy's Facebook page I wanted to share with you. To a friend she had written, "Things work out in the end, if it hasn't worked out – it's not the end." Well it's not the end, Patsy. We will carry on with your passion as we are not done.

I smile today because I know what Patsy is doing. She is in heaven, likely talking with John Kennedy, Ronald Reagan and Margaret Thatcher and she is telling them about the last day of her life. She is telling them about the important, historic work she did on that last day. I'm sure she is bragging about the amazing women in her bipartisan group that had such a voice in the income tax reform bill. On several occasions, Patsy would stop by my office to share with me the brilliance of her colleagues in the women's group and how important their work was and the progress they were making. I can assure you Kennedy or Johnson are not getting a word in edgewise today.

To close, I want to read you a text Patsy sent me yesterday at 1:08 am. "I hope this doesn't wake you if your phone dings. I know you must feel so good. It feels so good to me. I am so glad I got to experience this – so very proud to be a tiny part of this moment." That will be my memory of Patsy – so proud to be a part of this moment.

Godspeed Patsy, you will be missed.

The members of the House observed a moment of silence in memory of Rep. Terrell.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2426, H Sub for SB 86**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, to suspend House Rule 3905, requiring the printing and distribution of appropriations bills 24 hours before consideration, the motion prevailed and the rule was suspended for the purpose of considering **H Sub for SB 109**.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2426** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **SB 86** be adopted;

Also, on motion of Rep. Whitmer, **H Sub for SB 86** be amended on page 2, by striking all in lines 30 and 31; in line 32, by striking "(a)"; by striking all in lines 42 and 43;

On page 4, by striking all in lines 8 and 9; in line 10, by striking "On and after July 1, 2018,";

On page 5, in line 5, by striking "On and after July 1, 2018,"; in line 22, by striking

"On and after July 1, 2018,";

On page 8, in line 9, by striking "On and after July 1, 2018,";

On page 9, in line 3, by striking "On and after July 1, 2018,"; in line 15, by striking "On and after July 1, 2018,"; in line 28, by striking "On and after July 1, 2018,";

On page 10, in line 19, by striking "On and after July 1, 2018,";

On page 11, following line 7, by inserting:

"(g) No prosecution for an offense described in subsection (a) shall be brought prior to January 1, 2018. The provisions of this subsection shall expire on June 30, 2018.";

Also on page 11, in line 8, by striking "On and after July 1, 2018,"; in line 13, by striking "On and after July 1, 2018,"; following line 17, by inserting:

"(b) (1) On or before January 1, 2018, the secretary shall adopt rules and regulations necessary to implement the amendments made to the Kansas amusement ride act, K.S.A. 2016 Supp. 44-1601 et seq., and amendments thereto, and the amusement ride insurance act, K.S.A. 40-4801 et seq., and amendments thereto, by this act.";

Also on page 11, in line 18, by striking "(b)" and inserting "(2)"; in line 23, by striking "(c)" and inserting "(3)"; by striking all in lines 28 through 34; following line 34 by inserting:

"New Sec. 14. The provisions of this act shall not be enforced by the secretary prior to the date of publication of the rules and regulations adopted by the secretary pursuant to K.S.A. 2016 Supp. 44-1614(b), and amendments thereto. Prior to taking any action pursuant to section 11, and amendments thereto, the secretary shall provide the owner or operator of an amusement ride a reasonable period of time to comply with the provisions of K.S.A. 2016 Supp. 44-1601 et seq., and amendments thereto, and K.S.A. 40-4801 et seq., and amendments thereto.";

On page 12, in line 6, by striking "On and after July 1, 2018,"; in line 8, by striking the first comma and inserting "and"; also in line 8, by striking "and 44-1615, as revived by section 14 of this act,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking all after the semicolon; in line 5, by striking all before "also"; in line 17, by striking all after the first comma; in line 18, by striking all before the first "and";

and **H Sub for SB 86** be passed as amended.

Committee report recommending a substitute bill to **SB 109** be adopted;

On motion of Rep. Jennings, **H Sub for SB 109** be amended on page 103, by striking all in lines 6 through 43;

On page 104, by striking all in lines 1 through 28;

On page 109, following line 34, by inserting:

"On-site state employee health clinic fund.....\$2,700,000

Provided, That expenditures from the on-site state employee health clinic fund shall be used by the above agency during fiscal year 2018 to procure the services of a vendor to establish an on-site state employee health clinic, including any services necessary to construct, renovate and operate such clinic: *Provided further*, That such clinic may be located on property owned or leased by the state of Kansas: *And provided further*, That except as provided further, any procurement contract solicited and executed pursuant to

this proviso shall be subject to the competitive bid requirements established in K.S.A. 75-3737a et seq., and amendments thereto: *Provided, however*, That the above agency may consider cost avoidance and return on investment when determining the lowest responsible bidder: *And provided further*, That any procurement contract executed pursuant to this proviso shall include, at a minimum, the following requirements of the vendor: (1) Employing a physician licensed by the state board of healing arts to oversee the clinic; (2) providing clinic services to state employees free of charge or, for state employees who participate in the state health care benefits program and who elect a high-deductible health plan and health savings account, for the minimum charge permissible by federal law; (3) establishing and maintaining an online, secure patient portal that allows secure messaging with clinic healthcare providers, scheduling and access to the patient's personal medical record; (4) offering, at a minimum, the following services at the clinic: General primary healthcare services; limited supply and dispensing of medications, to the extent permitted under the pharmacy act of the state of Kansas; on-site laboratory services that are granted waived status under the federal clinical laboratory improvement amendments of 1988 by the United States food and drug administration; third-party laboratory services that are not granted such waived status; behavioral health services; and physical medicine services; (5) offering clinic services that align with the state of Kansas health and wellness program administered by the department of health and environment and the Kansas state employees health care commission; (6) providing data security for all clinic and patient data and shall not contract with or otherwise rely upon a third party to provide such security; (7) providing an electronic medical record system that is interoperable, that enables the exchange of health data with outside electronic medical record systems, public health entities, clinicians, administrative staff and health provider organizations and that enables healthcare providers to view health data within the healthcare provider's work flow from other healthcare providers across healthcare delivery venues; and (8) preparing a report detailing cost avoidance and return on investment over a period of five years and shall submit such report to the secretary of administration, the house of representatives standing committee on appropriations and the senate standing committee on ways and means: *And provided further*, That the contract shall include performance guarantees, including, but not limited to, guarantees related to: Patient experience, including patient satisfaction, wait time and complaint resolution; compliance and reporting, establishment of criteria for providing financial or clinic incentives to state employees who participate in the state of Kansas health and wellness program administered by the department of health and environment and the Kansas state employees health care commission: *And provided further*, That the above agency shall advise and consult with the Kansas state employees health care commission regarding the establishment of the on-site state employee health clinic described in this proviso, including any bids submitted to establish the on-site state employee health clinic: *And provided further*, That the above agency shall advise and consult with the joint committee on state building construction regarding the identification and selection of space and premises to establish the on-site state employee health clinic described in this proviso: *And provided further*, That the above agency shall advise and consult with the department of health and environment regarding the operation of the on-site state employee health clinic described in this proviso: *And provided, however*, That the construction or renovation of premises related to the establishment of an on-site state employee health clinic pursuant

to this proviso shall not exceed the sum of \$500,000.";

On page 121, following line 11, by inserting:

"(w) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,700,000 from the health insurance premium reserve fund (264-00-7350-7350) of the department of health and environment – division of health care finance to the on-site state employee health clinic fund of the department of administration.";

On page 222, in line 1, by adding \$400,000 to the dollar amount and by adjusting the dollar amount in line 1 accordingly;

On page 228, in line 40, by adding \$400,000 to the dollar amount and by adjusting the dollar amount in line 40 accordingly;

On page 231, in line 13, by adding \$600,000 to the dollar amount and by adjusting the dollar amount in line 13 accordingly;

On page 441, following line 28, by inserting:

"Streambank stabilization (709-00-1800-1265).....\$1,000,000

Provided, That any unencumbered balance in the streambank stabilization account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Irrigation technology.....\$400,000

Kansas river alluvial aquifer observation well network.....\$100,000

Reservoir bathymetric surveys and biological research.....\$100,000";

On page 554, in line 13, by striking all after "that"; in line 14, by striking all before "during"; also in line 14, by striking "years" and inserting "year"; in line 15, after the second comma, by inserting "the transfer shall not exceed \$2,000,000. No moneys shall be transferred from the state general fund to the state water plan fund during the fiscal years ending"

Also, on motion of Rep. Landwehr, **H Sub for SB 109** be amended on page 198, following line 33, by inserting:

"(m) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health during fiscal year 2018 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year after the operator of the facility notifies the above agency that the facility is operational, then the above agency may charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to this subsection shall comply with requirements imposed by federal law.";

On page 209, following line 28, by inserting:

"(l) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health during fiscal year 2019 from moneys appropriated from the state general fund or any special revenue fund

or funds by this or any other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year after the operator of the facility notifies the above agency that the facility is operational, then the above agency may charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to this subsection shall comply with requirements imposed by federal law."

Also, on motion of Rep. Whitmer, **H Sub for SB 109** be amended on page 24, in line 43, by adding \$267,399 to the dollar amount and by adjusting the dollar amount in line 43 accordingly;

On page 25, in line 9, after "room" by inserting ": *And provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2018, expenditures shall be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2018 for the director of legislative administrative services, under the direction of the legislative coordinating council, to administer and supervise the live audio streaming of legislative proceedings in an amount not to exceed \$267,399: *And provided further*, That in providing such live audio streaming, the director shall work in cooperation with the information network of Kansas, inc., created by K.S.A. 74-9303, and amendments thereto, which shall provide any services and equipment that the director and the board of the information network of Kansas, inc., have agreed upon and that the director determines to be necessary for the provision of such live audio streaming";

Also on page 25, in line 32, by adding \$247,399 to the dollar amount and by adjusting the dollar amount in line 32 accordingly; in line 41, after "room" by inserting ": *And provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2019, expenditures shall be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2019 for the director of legislative administrative services, under the direction of the legislative coordinating council, to administer and supervise the live audio streaming of legislative proceedings in an amount not to exceed \$247,399: *And provided further*, That in providing such live audio streaming, the director shall work in cooperation with the information network of Kansas, inc., created by K.S.A. 74-9303, and amendments thereto, which shall provide any services and equipment that the director and the board of the information network of Kansas, inc., have agreed upon and that the director determines to be necessary for the provision of such live audio streaming";

On page 176, by striking all in line 36;

On page 178, by striking all in line 24

Also, on motion of Rep. Claeys, **H Sub for SB 109** be amended on page 359, in line 21, by adding \$6,000,000 to the dollar amount and by adjusting the dollar amount in line 21 accordingly;

On page 360, in line 14, by subtracting \$6,000,000 from the dollar amount and by adjusting the dollar amount in line 14 accordingly;

On page 368, in line 22, by adding \$6,000,000 to the dollar amount and by adjusting the dollar amount in line 22 accordingly;

On page 369, in line 15, by subtracting \$6,000,000 from the dollar amount and by adjusting the dollar amount in line 15 accordingly;

Also, on motion of Rep. Sloan, **H Sub for SB 109** be amended on page 282, following line 11, by inserting:

"(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2018, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2018, as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2018 to fix admission fees at constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours: *Provided, however;* That such admission fees may be increased by the above agency during fiscal year 2018 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society's constitution hall promotional expenses as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further;* That the state historical society may request annual financial statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses.";

On page 284, following line 10, by inserting:

"(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2019, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2019 to fix admission fees at constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours: *Provided, however;* That such admission fees may be increased by the above agency during fiscal year 2019 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society's constitution hall promotional expenses as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further;* That the state historical society may request annual financial statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses."

Also, on motion of Rep. Carmichael to amend **H Sub for SB 109**, the motion did not prevail.

Also, on motion of Rep. Corbet to amend **H Sub for SB 109**, Rep. Waymaster requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane. The motion of Rep. Corbet did not prevail.

Also, on motion of Rep. Parker to amend **H Sub for SB 109**, the motion did not prevail.

Also, on further motion of Rep. Parker to amend **H Sub for SB 109**, the motion did not prevail.

Also, on motion of Rep. Concannon, **H Sub for SB 109** be amended on page 476, in line 23, by striking "otherwise alter the structure of" and inserting "combine"; in line 27, by striking all after the first "or"; by striking all in line 28; in line 29, by striking all before the first "such" and inserting "combine"; in line 30, by striking ", alteration," and inserting "or"; also in line 30, by striking "or reassignment"

Also, on motion of Rep. Landwehr, **H Sub for SB 109** be amended by amending the amendment designated fa_2017_sb109_h_2308, adopted by House Committee of the Whole on June 8, 2017, in paragraph (3) of the proviso, after "clinic healthcare providers," by inserting "including an electronic option for a patient to interact with a clinic healthcare provider to access and receive care using a computer, tablet or phone,"

Also, on motion of Rep. Helgeson, **H Sub for SB 109** be amended on page 477, in line 14, after "transfer" by inserting "50% of"; in line 16, after "thereto" by inserting ", and 50% of such certified excess amount to the Kansas public employees retirement fund to be applied to the payment, in full or in part, of the unfunded actuarial pension liability as directed by the Kansas public employees retirement system"; in line 20, by striking the colon; in line 21, by striking "(1)" and inserting a comma; in line 23, strike all after "years"; by striking all in lines 24 through 34; in line 35, by striking "fund";

On page 478, in line 5, by striking the second "and"; in line 10, after "fuels" by inserting:

"; and

(3) "unfunded actuarial pension liability" means the unfunded actuarially accrued liability of the state for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, portion of such liability of the Kansas public employees retirement system, determined as of the later of December 31, 2016, or the end of the most recent calendar year for which an actuarial valuation report is available"

Also, on further motion of Rep. Helgeson, **H Sub for SB 109** be amended on page 246, following line 40, by inserting:

"(u) In addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 by this or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from such moneys to establish a mental health task force: *Provided*, That such task force shall consist of 11 members appointed as follows: (1) One member of the senate appointed by the president of the senate; (2) one member of the senate appointed by the minority leader of the senate; (3) one member of the house of representatives appointed by the speaker of the house of

representatives; (4) one member of the house of representatives appointed by the minority leader of the house of representatives; (5) one public mental health system provider; (6) one private mental health system provider; (7) one consumer of mental health services; (8) one family member of a consumer of mental health services; (9) one representative of the Kansas department for aging and disability services; and (10) two representatives of advocacy organizations for persons with mental illness; each of the members listed in paragraphs (5) through (10) appointed by the legislative coordinating council: *Provided further*, That such task force shall study the following topics: The Kansas mental health delivery system; the most effective ways to deliver mental health services, including the varied services required for individuals of varying ages; the certification process of Osawatomie state hospital; a comprehensive strategy for delivery of mental health services; the maximization of federal and other funding sources for mental health services; the statewide absence of crisis stabilization centers to provide short-term mental health crisis care of 48 hours or less; options for privatization of mental health services; and other matters relating to mental health services as such task force deems appropriate: *And provided further*, That such task force shall submit a report on the task force's findings to the senate standing committees on ways and means and public health and welfare and the house of representatives standing committees on appropriations and health and human services on or before January 8, 2018."

Also, on further motion of Rep. Helgerson to amend **H Sub for SB 109** the motion was withdrawn.

Also, on further motion of Rep. Helgerson to amend **H Sub for SB 109** the motion was withdrawn.

Also, on motion of Rep. Deere to amend **H Sub for SB 109**, the motion did not prevail.

Also, on motion of Rep. Hodge to amend **H Sub for SB 109**, the motion did not prevail.

Also, on motion of Rep. Ballard to amend **H Sub for SB 109**, Rep. Carpenter requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Claeys, **H Sub for SB 109** be amended on page 368, following line 6, by inserting:

"(l) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2018, for the secretary of corrections, in consultation with the director of the budget, to certify the amount of moneys saved in efficiencies created by the lease-purchase agreement or issuance of bonds for a new correctional institution in Lansing, Kansas, pursuant to section 213(e): *Provided*, That upon certification of the amount of any such savings, the secretary of the department of corrections shall use

such moneys to provide a salary increase for correctional officers employed by the above agency: *And provided further*; That the secretary of the department of corrections shall certify such salary increases to the director of the budget and shall transmit a copy of each such certification to the director of legislative research.";

On page 377, following line 21, by inserting:

"(l) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2019, for the secretary of corrections, in consultation with the director of the budget, to certify the amount of moneys saved in efficiencies created by the lease-purchase agreement or issuance of bonds for a new correctional institution in Lansing, Kansas, pursuant to section 213(e): *Provided*, That upon certification of the amount of any such savings, the secretary of the department of corrections shall use such moneys to provide a salary increase for correctional officers employed by the above agency: *And provided further*; That the secretary of the department of corrections shall certify such salary increases to the director of the budget and shall transmit a copy of each such certification to the director of legislative research.";

and **H Sub for SB 109** be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hineman, pursuant to House Rule 2311, **HB 2426**, **H Sub for SB 86**, **H Sub for SB 109**, were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2426, AN ACT reconciling amendments to certain statutes; amending K.S.A. 2016 Supp. 8-135, as amended by section 1 of 2017 Senate Bill No. 36, 12-4117, 12-4120, as amended by section 7 of 2017 Senate Bill No. 89, 12-4516, 21-6614, as amended by section 15 of 2017 House Substitute for Senate Bill No. 40, 22-2410, as amended by section 8 of 2017 Senate Bill No. 112, 22-3717, as amended by section 10 of 2017 Senate Bill No. 112, 22-4903, 38-2312, as amended by section 23 of 2017 House Substitute for Senate Bill No. 40, 65-4202, as amended by section 22 of 2017 Senate Substitute for House Bill No. 2055, 65-6111 and 74-7305, as amended by section 14 of 2017 House Substitute for Senate Bill No. 101, and repealing the existing sections; also repealing K.S.A. 2016 Supp. 8-135, as amended by section 1 of 2017 Senate Bill No. 89, 12-4112a, 12-4117b, 12-4120, as amended by section 5 of 2017 House Substitute for Senate Bill No. 40, 12-4516e, 21-6614, as amended by section 5 of 2017 House Bill No. 2041, 21-6614, as amended by section 3 of 2017 House Bill No. 2085, 22-2410, as amended by section 6 of 2017 House Bill No. 2041, 22-3717, as amended by section 20 of 2017 House Substitute for Senate Bill No. 40, 22-4903a, 38-2312, as amended by section 15 of 2017 House Bill No. 2041, 65-4202, as amended by section 3 of 2017 House Bill No. 2025, 65-6111a and 74-7305, as amended by section 24 of 2017 House Substitute for Senate Bill No. 40, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Awerkamp, Baker, Ballard, Becker, Bishop, Blex, Brim, Burris, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Miller.

Present but not voting: None.

Absent or not voting: Aurand, Barker, Pittman, Thompson.

The bill passed, as amended.

H Sub for SB 86, AN ACT concerning amusement rides; relating to the Kansas amusement ride act; amending K.S.A. 40-4801 and K.S.A. 2016 Supp. 40-4802, 44-1601, 44-1602, 44-1603, 44-1604, 44-1607, 44-1610, 44-1613 and 44-1614 and repealing the existing sections; also repealing K.S.A. 40-4801, as amended by section 4 of 2017 House Substitute for Senate Bill No. 70, and K.S.A. 2016 Supp. 40-4802, as amended by section 5 of 2017 House Substitute for Senate Bill No. 70, 44-1601, as amended by section 6 of 2017 House Substitute for Senate Bill No. 70, 44-1602, as amended by section 7 of 2017 House Substitute for Senate Bill No. 70, 44-1603, as amended by section 8 of 2017 House Substitute for Senate Bill No. 70, 44-1604, as amended by section 9 of 2017 House Substitute for Senate Bill No. 70, 44-1607, as amended by section 10 of 2017 House Substitute for Senate Bill No. 70, 44-1610, as amended by section 11 of 2017 House Substitute for Senate Bill No. 70, 44-1613, as amended by section 12 of 2017 House Substitute for Senate Bill No. 70, 44-1614, as amended by section 13 of 2017 House Substitute for Senate Bill No. 70, and sections 1, 2 and 3 of 2017 House Substitute for Senate Bill No. 70, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 14; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Baker, Ballard, Becker, Bishop, Blex, Brim, Burris, Campbell, B. Carpenter, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman,

Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Burroughs, Carlin, Carmichael, Claey's, Frownfelter, Kuether, Lusk, Parker, Sawyer, Schwab, Sloan, Ward, Whipple.

Present but not voting: None.

Absent or not voting: Aurand, Barker, Pittman.

The substitute bill passed, as amended.

H Sub for SB 109, AN ACT making and concerning appropriations for fiscal years ending June 30, 2017, June 30, 2018, June 30, 2019, June 30, 2020, June 30, 2021, and June 30, 2022, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 2-223, 12-1775a, 12-5256, 55-193, 68-2320, 74-4920, as amended by section 43 of 2017 Senate Substitute for Substitute for House Bill No. 2052, 74-50,107, 74-99b34, 75-6702, 75-6706, as amended by section 47 of 2017 Senate Substitute for Substitute for House Bill No. 2052, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79 and 804 82a-953a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 99; Nays 23; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highbarger, Hineman, Hodge, Holscher, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Burris, Carmichael, B. Carpenter, Claey's, Corbet, Delperdang, Esau, Garber, Highland, Hoffman, Houser, Huebert, Jacobs, K. Jones, Mason, Miller, Osterman, R. Powell, Sutton, Ward, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Aurand, Barker.

The substitute bill passed, as amended.

REPORT ON ENGROSSED BILLS

HB 2409 reported correctly engrossed June 7, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Friday, June 9, 2017.

BECKIE HENDRICKS, JENNY HAUGH, JULIA WERNER, *Journal Clerks*.

JUNE 8, 2017

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SUSAN W. KANNARR, *Chief Clerk.*

