

# Journal of the House

TWENTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 14, 2018, 11:00 a.m.

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

The roll was called with 120 members present.

Reps. Brim, Elliott and Swanson were excused on verified illness.

Rep. Helgeson was excused on excused absence by the Speaker.

Prayer by guest chaplain, Rev. Verdell Taylor, Jr., Pastor, St. Luke African Methodist Episcopal Church, Lawrence, and guest of Rep. Highberger.

Merciful God, we are gathered together, on this 14<sup>th</sup> day of February, 2018, to pray for the work of these individuals assembled in this Chamber, as they prepare to do the legislative work that is before them.

We pray God that they will represent their districts well and operate in a manner that is pleasing to You.

Dear God, please equip these Representatives with everything they need, to Stand Up for their convictions, to make just decisions and look out for the interests of those they represent.

Father God, we know that Kansas has new challenges and must redefine itself, as a State, therefore, we pray for the new leadership of this Great State.

Dear God, because you are our Creator and Deliverer, we look to You for direction, guidance and compassion.

Thank You God, for giving us the opportunity to begin each day and each session in prayer.

Dear God, Father of All, in Your Holy Name, we pray.

AMEN

The Pledge of Allegiance was led by Rep. Phelps.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Holscher are spread upon the Journal:

I ask all of you here today: “What’s your superpower?” For those who are here today, their superpower is setting free the wrongly convicted. Cheryl Pilate, an attorney from the Overland Park area, along with the Midwest Innocence Project have worked tirelessly on cases in our region.

Joining us today are Cheryl Pilate of Pilate, Morgan, LLC and Tricia Bushnell, director of the Midwest Innocence Project.

Most recently, their efforts led to the exoneration of Lamonte McIntyre, a resident of Kansas City, Kansas. Mr. McIntyre spent over 20 years in prison for a murder he did not commit. In addition to McIntyre, in the past two years, Richard Jones and Floyd Bledsoe have also benefited from the dedication and expertise of Midwest Innocence Project; these men were released from prison after spending 18 and 16 years respectively for crimes they did not commit. Mr. McIntyre, Mr. Bledsoe and Mr. Jones are joining us today in the gallery.

Many of you likely know another former exoneree in the Johnson County area. My friend Darryl Burton is a Congregational Care Pastor at Church of the Resurrection in Leawood, Kansas. Prior to serving in the ministerial field, Mr. Burton was behind bars in Missouri for a murder he did not commit. Due to the dedication and efforts of Mrs. Pilate, Darryl was released from prison in 2008 after serving 24 years. Darryl now spends his time spreading his message about his journey of faith and forgiveness.

Thank you, Cheryl, along with Tricia and everyone at Midwest Innocence Project for your dedication to our people and to justice.

Rep. Holscher presented a framed House certificate to representatives from the Midwest Innocence Project in appreciation of their efforts.

### **CHANGE OF REFERENCE**

Speaker Ryckman announced the withdrawal of **HB 2728**, **HB 2734** from Committee on Appropriations and rereferral to Committee on Judiciary.

### **CONSENT CALENDAR**

No objection was made to **HB 2558**, **HB 2608** appearing on the Consent Calendar for the first day.

No objection was made to **SB 283** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2436** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

### **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2436**, AN ACT designating a portion of United States highway 69 as the Brandon Collins memorial highway, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, Tarwater, Thimesch, Thompson,

Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brim, Elliott, Helgerson, S. Swanson.

The bill passed.

**HB 2444**, AN ACT repealing K.S.A. 2017 Supp. 74-4921c and 74-4921d; concerning retirement and pensions; relating to the Kansas public employees retirement system; investments by the KPERS board; new investments and divestment of current investment in companies with operations in Sudan, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 9; Present but not voting: 0; Absent or not voting: 4.

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

Nays: Burris, Ellis, Garber, Jacobs, K. Jones, Mason, Schwab, Vickrey, Ward.

Present but not voting: None.

Absent or not voting: Brim, Elliott, Helgerson, S. Swanson.

The bill passed.

**HB 2455**, AN ACT concerning the Kansas juvenile justice oversight committee; relating to cost avoidance due to reductions in youth out-of-home placements; amending K.S.A. 2017 Supp. 75-52,161 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 2; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Becker, Bergquist, Bishop, Blex, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Ellis, Eplee, Esau, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A.,

Smith, E., Stogsdill, Sutton, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: Barker, Finch.

Present but not voting: None.

Absent or not voting: Brim, Elliott, Helgerson, S. Swanson.

The bill passed, as amended.

**HB 2456**, AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; overall case length limits; absconders; amending K.S.A. 2017 Supp. 38-2391 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 4.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Brim, Elliott, Helgerson, S. Swanson.

The bill passed, as amended.

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

## COMMITTEE OF THE WHOLE

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

Recommended that **HB 2505**, **HB 2506** be passed.

Committee report to **HB 2476** be adopted.

Also, on motion of Rep. Carmichael to amend **HB 2476**, the motion was withdrawn.

Also, on further motion of Rep. Carmichael to amend **HB 2476**, the motion was withdrawn.

Also, on further motion of Rep. Carmichael to re-refer **HB 2476** to Committee on Federal and State Affairs, the motion did not prevail; and the bill be passed as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Agriculture** recommends **HB 2619** be amended on page 1, in line 18, by striking "drafted"; in line 29, by striking all after "performed"; in line 30, by striking all before the first "the"; in line 31, after "(9)" by inserting "the signature of the individual who supervised the performance of the pest control service or the application of pesticides, when applicable; (10)";

On page 2, in line 32, by striking "name of the individual" and inserting "names of the individuals"; also in line 32, by striking "or" and inserting "and, when applicable,"; And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Agriculture** recommends **HB 2729** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Corrections and Juvenile Justice** recommends **HB 2551** be amended on page 1, in line 6, after "(a)" by inserting "(1)"; in line 8, after the first "any" by inserting "security"; also in line 8, by striking "or facilities"; in line 14, after the second "any" by inserting "security"; also in line 14, by striking "facility" and inserting "job classifications and duties associated with a security operation"; following line 15, by inserting:

"(2) For the purposes of this section, "security operations" shall include the supervision of inmates in a correctional institution or juvenile correctional facility by a corrections officer or warden as those terms are defined in K.S.A. 75-5202, and amendments thereto, or any other position that is part of security operations as identified in rules and regulations adopted by the secretary.

(3) The secretary of corrections may adopt rules and regulations to identify job classifications and duties that are part of the security operations of a correctional institution or juvenile correctional facility.";

Also on page 1, in the title, in line 2, after "any" by inserting "security"; in line 3, by striking all before "thereof"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2578** be amended on page 2, in line 12, after "include" by inserting a colon; in line 13, after "students" by inserting "; consequences and appropriate remedial action for a person who commits an act of bullying, harassment or cyberbullying; a procedure for reporting an act of bullying, harassment or cyberbullying, including a provision that permits a person to report an act of bullying, harassment or cyberbullying anonymously; a procedure for prompt investigation of reports of bullying, harassment and cyberbullying; and a list of appropriate responses to an incident of bullying, harassment or cyberbullying";

Also on page 2, following line 25, by inserting:

"Sec. 2. K.S.A. 2017 Supp. 72-2252 is hereby amended to read as follows: 72-2252. As used in ~~this act~~ K.S.A. 2017 Supp. 72-2252 through 72-2262, and amendments thereto: (a) "Teacher" means any professional employee who is required to hold a certificate to teach in any school district and any teacher or instructor in any technical college, the institute of technology at Washburn university or community college. The term "teacher" does not include within its meaning any supervisors, principals, superintendents or any person employed under the authority of K.S.A. 2017 Supp. 72-1134, and amendments thereto, or any persons employed in an administrative

capacity by any technical college, the institute of technology at Washburn university or community college.

(b) "Board" means the board of education of any school district, governing body of any technical college or the institute of technology at Washburn university, and the board of trustees of any community college.

Sec. 3. K.S.A. 2017 Supp. 72-2253 is hereby amended to read as follows: 72-2253.

(a) Whenever a teacher is given written notice of intention by a board to not renew or to terminate the contract of the teacher as provided in K.S.A. 2017 Supp. 72-2251, and amendments thereto, the written notice of the proposed nonrenewal or termination shall include: (1) A statement of the reasons for the proposed nonrenewal or termination; and (2) a statement that the teacher may have the matter heard by a hearing officer upon written request filed with the clerk of the board of education or the board of control or the secretary of the board of trustees within 15 calendar days from the date of such notice of nonrenewal or termination.

(b) Within 10 calendar days after the filing of any written request of a teacher to be heard as provided in subsection (a), the board shall notify the commissioner of education that a list of qualified hearing officers is required. Such notice shall contain the mailing address of the teacher. Within 10 days after receipt of notification from the board, the commissioner shall provide to the board and to the teacher, a list of five randomly selected, qualified hearing officers.

(c) Within five days after receiving the list from the commissioner, each party shall eliminate two names from the list, and the remaining individual on the list shall serve as hearing officer. In the process of elimination, each party shall eliminate no more than one name at a time, the parties alternating after each name has been eliminated. The first name to be eliminated shall be chosen by the teacher within five days after the teacher receives the list. The process of elimination shall be completed within five days thereafter.

(d) Either party may request that one new list be provided within five days after receiving the list. If such a request is made, the party making the request shall notify the commissioner and the other party, and the commissioner shall generate a new list and distribute it to the parties in the same manner as the original list.

(e) In lieu of using the process provided in subsections (b) and (c), if the parties agree, they may make a request to the American arbitration association for an arbitrator to serve as the hearing officer. Any party desiring to use this alternative procedure shall so notify the other party in the notice required under subsection (a). If the parties agree to use this procedure, the parties shall make a joint request to the American arbitration association for a hearing officer within 10 days after the teacher files a request for a hearing. If the parties choose to use this procedure, the parties shall each pay one-half of the cost of the arbitrator and of the arbitrator's expenses.

(f) The commissioner of education shall compile and maintain a list of hearing officers comprised of residents of this state who are attorneys at law. Such list shall include a statement of the qualifications of each hearing officer.

(g) Attorneys interested in serving as hearing officers under the provisions of this act shall submit an application to the commissioner of education. The commissioner shall determine if the applicant is eligible to serve as a hearing officer pursuant to the provisions of subsection (h).

(h) An attorney shall be eligible for appointment to the list if the attorney has: (1)

Completed a minimum of 10 hours of continuing legal education credit in the area of education law, due process, administrative law or employment law within the past five years; or (2) previously served as the chairperson of a due process hearing committee prior to the effective date of this act. An attorney shall not be eligible for appointment to the list if the attorney has been employed to represent a board or a teacher in a due process hearing within the past five years.

Sec. 4. K.S.A. 2017 Supp. 72-2254 is hereby amended to read as follows: 72-2254. The hearing provided for under K.S.A. 2017 Supp. 72-2253, and amendments thereto, shall commence within 45 calendar days after the hearing officer is selected unless the hearing officer grants an extension of time. The hearing shall afford procedural due process, including the following:

(a) The right of each party to have counsel of such party's own choice present and to receive the advice of such counsel or other person whom such party may select;

(b) the right of each party or such party's counsel to cross-examine any person who provides information for the consideration of the hearing officer, except those persons whose testimony is presented by affidavit;

(c) the right of each party to present such party's own witnesses in person, or their testimony by affidavit or deposition, except that testimony of a witness by affidavit may be presented only if such witness lives more than 100 miles from the location of the unified school district office, the technical college, institute of technology at Washburn university or community college, or is absent from the state, or is unable to appear because of age, illness, infirmity or imprisonment. When testimony is presented by affidavit the same shall be served upon the clerk of the board of education, the board of control, the secretary of the board of trustees or the agent of the board and upon the teacher in person or by first-class mail to the address of the teacher which is on file with the board not less than 10 calendar days prior to presentation to the hearing officer;

(d) the right of the teacher to testify in the teacher's own behalf and give reasons for the teacher's conduct, and the right of the board to present its testimony through such persons as the board may call to testify in its behalf and to give reasons for its actions, rulings or policies;

(e) the right of the parties to have an orderly hearing; and

(f) the right of the teacher to a fair and impartial decision based on substantial evidence.

Sec. 5. K.S.A. 2017 Supp. 72-2260 is hereby amended to read as follows: 72-2260. (a) Except as otherwise provided in this section, the provisions of K.S.A. 2017 Supp. 72-2253 through 72-2258, and amendments thereto, apply only to:

(1) Teachers who have completed not less than three consecutive years of employment, and been offered a fourth contract, in the school district, technical college, institute of technology at Washburn university or community college by which any such teacher is currently employed; and

(2) teachers who have completed not less than two consecutive years of employment, and been offered a third contract, in the school district, technical college, institute of technology at Washburn university or community college by which any such teacher is currently employed if at any time prior to the current employment the teacher has completed the years of employment requirement of paragraph (1) of this subsection in any school district, technical college, the institute of technology at Washburn university or community college in this state.

(b) Any board may waive, at any time, the years of employment requirements of subsection (a)(1) for any teacher employed by it.

(c) The provisions of this ~~subsection~~ section are subject to the provisions of K.S.A. 2017 Supp. 72-2262, and amendments thereto.

(d) The provisions of K.S.A. 2017 Supp. 72-2253 through 72-2258, and amendments thereto, do not apply to any teacher whose license has been non-renewed or revoked by the state board of education because the teacher has:

(1) Been convicted of a felony under K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009;

(2) been convicted of a felony described in any section of article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2017 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, or an act described in K.S.A. 21-3412, prior to its repeal, or K.S.A. 2017 Supp. 21-5413(a), or K.S.A. 21-3412a, prior to its repeal, or K.S.A. 2017 Supp. 21-5414, and amendments thereto, if the victim is a minor or student;

(3) been convicted of a felony described in any section of article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2017 Supp. 21-6419 through 21-6421, and amendments thereto, or has been convicted of an act described in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2017 Supp. 21-5505(a), and amendments thereto, if the victim is a minor or student;

(4) been convicted of any act described in any section of article 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 56 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto;

(5) been convicted of a felony described in article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 58 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2017 Supp. 21-6412(a)(6), and amendments thereto;

(6) been convicted of an attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 2017 Supp. 21-5301, and amendments thereto, to commit any act specified in this subsection;

(7) been convicted of any act that is described in K.S.A. 21-4301, 21-4301a or 21-4301c, prior to their repeal, or K.S.A. 2017 Supp. 21-6401 or 21-6402, and amendments thereto;

(8) been convicted in another state or by the federal government of an act similar to any act described in this subsection; or

(9) has entered into a criminal diversion agreement after having been charged with any offense described in this subsection.";

Also on page 2, in line 26, after "Supp." by inserting "72-2252, 72-2253, 72-2254, 72-2260 and"; also in line 26, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "relating to teacher contracts"; also in line 2, after "Supp." by inserting "72-2252, 72-2253, 72-2254, 72-2260 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2498** be passed.

Committee on **Federal and State Affairs** recommends **HB 2460** be amended on page 1, in line 12, by striking "eight" and inserting "five"; in line 13, after the semicolon by inserting "(b) for students enrolled in grades six, seven and eight, shall be based on the Eddie Eagle Gunsafe program offered by the national rifle association or any successor program, or the hunter education in our schools program offered by the Kansas department of wildlife, parks and tourism or any successor program;"; also in line 13, by striking "(b)" and inserting "(c)"; and the bill be passed as amended.

Committee on **Financial Institutions and Pensions** recommends **HB 2594** be amended on page 1, in line 7, after "officer" by inserting ", "detention officer"; in line 8, after "center" by inserting ", juvenile detention center"; also in line 8, after "local" by inserting "adult or juvenile"; in line 18, after "officer" by inserting ", "detention officer"; in line 26, after "officers" by inserting ", detention officers"; following line 26, by inserting:

"(d) Notwithstanding any provision of K.S.A. 74-4901 et seq., and amendments thereto, to the contrary, if a detention deputy, corrections officer, detention officer or jailer has a vested retirement benefit pursuant to K.S.A. 74-4963, and amendments thereto, and a vested retirement benefit pursuant to K.S.A. 74-4917, and amendments thereto, and retires on or after such detention deputy's, corrections officer's, detention officer's or jailer's normal retirement date under K.S.A. 74-4957a, and amendments thereto, then such detention deputy, corrections officer, detention officer or jailer shall also be deemed to have retired for the purposes of K.S.A. 74-4901 et seq., and amendments thereto, and shall be eligible for such vested retirement benefit pursuant to K.S.A. 74-4917, and amendments thereto.";

On page 1, in the title, in line 3, after "local" by inserting "adult and juvenile"; and the bill be passed as amended.

Committee on **Government, Technology and Security** recommends **HB 2560** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2560," as follows:

"Substitute for HOUSE BILL NO. 2560

By Committee on Government, Technology and Security

"AN ACT concerning information systems and communications; creating the Kansas cybersecurity act; establishing the Kansas information security office; establishing the cybersecurity state fund.";

And the substitute bill be passed.

(**Sub HB 2560** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **HB 2573** be amended on page 3, in line 11, by striking "from another source"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2600** be amended on page 1, in the title, in line 1, after "and" by inserting "radiation"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2597** be passed.

Committee on **Local Government** recommends **HB 2628** be amended on page 1, in line 19, by striking all after "thereof"; by striking all in lines 20 through 23; in line 24, by striking all before "upon" and inserting a period; and the bill be passed as amended.

Committee on **Water and Environment** recommends **HB 2691** be amended on page 5, by striking all in lines 10 through 31; in line 32, by striking "and 82a-1906 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "notification requirements for"; in line 3, by striking "and water right applications" and inserting ", application deadlines"; in line 4, by striking "and 82a-1906"; also in line 4, by striking "sections" and inserting "section"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2746**, AN ACT concerning employment security law; relating to unemployment benefits for privately contracted school bus drivers; amending K.S.A. 2017 Supp. 44-706 and repealing the existing section, by Committee on Appropriations.

**HB 2747**, AN ACT enacting the state post audit act; abolishing the division of post audit within the legislative branch and creating the post audit division within the state treasurer's office; concerning the transfer of powers and duties; abolishing the legislative post audit committee and the audit services fund; creating the state audit committee and the state audit services fund; amending K.S.A. 19-5005, 22-4514a, 38-2103, 45-106, 46-1001, 46-1006, 46-1212a, 74-2424, 74-2912, 74-4907, 74-8209, 75-104, 75-3080 and 75-3728c and K.S.A. 2017 Supp. 12-5377, 38-151, 38-2212, 38-2213, 39-709b, 60-3334, 72-5172, 72-5173, 73-1209, 74-4921, 74-50,131, 74-50,136, 74-7285, 74-7287, 74-72,124, 74-8111, 74-99b34, 74-99c07, 74-99c09, 75-2935, 75-2973, 75-3354, 75-5133, 75-5133c, 75-53,105, 75-7427, 76-3312, 77-138, 77-430, 79-1119 and 79-3234 and repealing the existing sections; also repealing K.S.A. 46-1101, 46-1102, 46-1104, 46-1108, 46-1109, 46-1112, 46-1113, 46-1115, 46-1116, 46-1120, 46-1120a, 46-1122, 46-1123, 46-1125, 46-1126 and 46-1127 and K.S.A. 2017 Supp. 46-1103, 46-1106, 46-1114, 46-1118, 46-1119, 46-1121, 46-1128, 46-1129, 46-1134 and 46-1135, by Committee on Appropriations.

**HB 2748**, AN ACT concerning sales and compensating use tax; relating to rates, exemptions, food and food ingredients; amending K.S.A. 2017 Supp. 79-3602, 79-3603, 79-3606, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Taxation.

**HB 2749**, AN ACT concerning sales and compensating use tax; relating to countywide retailers' sales tax; rates, Jackson county; amending K.S.A. 2017 Supp. 12-187 and repealing the existing section, by Committee on Taxation.

### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Thimesch to replace Rep. Schwab on Committee on Insurance on Feb. 15, 2018.

Also, the appointment of Rep. Phelps to replace Rep. Helgerson on Committee on K-12 Education Budget on February 14, 2018.

Also, the appointment of Rep. Frownfelter to replace Rep. Horn on Committee on Federal and State Affairs on February 15, 2018.

Also, the appointment of Rep. Carmichael to replace Rep. Lusk on Committee on Federal and State Affairs on February 15, 2018.

#### **REPORT ON ENGROSSED BILLS**

**HB 2455, HB 2456** reported correctly engrossed February 13, 2018.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, February 15, 2018.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

