

Journal of the House

THIRTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 1, 2018, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 121 members present.
Reps. Gallagher and Jones were excused on verified illness.
Rep. Dove was excused on legislative business.
Rep. Aurand was excused on excused absence by the Speaker.
Present later: Rep. Dove.

Prayer by guest chaplain, Dr. L.D. Holmes, Pastor, Wanamaker Woods Church of the Nazarene, Topeka, and guest of Rep. Schroeder.

Heavenly Father,
Today we thank You for grace that we do not deserve and
a love we cannot fathom.
We thank You that You are more interested in our pedigree than
our positions or possessions. We belong to You! Your Word reminds
us; "Do not fear, for I have redeemed you; I have called you by
name; you are mine! When you pass through the waters, I will be
with you; and through the rivers, they will not overflow you. When
you walk through the fire, you will not be scorched, nor will the
flames burn you, for I am the Lord Your God."
We intercede for those who are going through difficult times. Be it
health, finances, new realities or old emotional enemies. As their
days are, might their strength be also.
We pray for divine insight, wisdom and clarity of purpose upon all
who make decisions affecting our state and nation.
In the name of the One who gives spiritual light.
Amen

The Pledge of Allegiance was led by Rep. Ralph.

INTRODUCTION OF GUESTS

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

Today we celebrate Kansas Aviation Day and recognize a few of the companies and institutions which have contributed over the years in maintaining Kansas and Wichita as the Air Capital of the World.

Aviation has been part of our state's heritage for over a century. In fact, this year marks the 100th anniversary of Clyde Cessna's first flight of an aircraft he built in Wichita. Imagine if Walter Beech, Clyde Cessna, and Lloyd Stearman, whose early company later merged with Boeing, had decided to set up shop elsewhere other than Kansas. Glad they chose our state!

In 2016, the Aerospace products and parts sector in Kansas created a total payroll of \$2.27 billion for 29,283 state residents among 165 entities. Kansas aerospace products and parts accounted for 23.9% of all state exports last year. With recent announcements to add workforce and to make substantial capital investment by major players, there is much to be optimistic about.

The aviation industry has touched me personally for most of my life. My late father was an executive at Beech Aircraft Corporation, which is in my House district in East Wichita. I currently live less than a mile from the original Beech factories and airfield where I learned to fly back in the 70's. Many of these production facilities were built during World War II and are still functioning. While there have been changes in ownership over the years for Beech and Cessna Aircraft Company, now both under the umbrella of Textron Aviation, the legacy continues for Wichita to be the hub for generating 21st century research and design of aerospace products.

Spirit AeroSystems, created in 2005, is a major contractor to Boeing for the 737 airliner providing the fuselage, nacelles, and control surfaces. In February, Spirit delivered the 10,000th completed fuselage unit which are railed out to Washington state for final assembly.

Bombardier Business Aircraft is a leading producer of business and regional jet aircraft. The first LearJet flew in Wichita in 1963 and was one significant sign of how high performance business jets would evolve under Bombardier's guidance.

Lee Aerospace, in Wichita, is a leading producer of composite products parts and tooling for both general and commercial aviation clients. Lee was named the Governor's 2017 Kansas Exporter of the Year.

The National Institute for Aviation Research is located on the campus of Wichita State University. One of their current projects is assisting Lockheed on the development of the airframe for the new generation F35 Stealth Fighter Jet. As needs for a highly trained and skilled workforce accelerate, training programs created through Wichita Area Technical College and the National Center for Aviation Training will play key roles in developing related curriculum and programs. WATC is joining forces with Wichita State University in creating the WSU Campus of Applied Sciences and Technology, which will become operational this July.

FlightSafety International provides pilot orientation and aircraft maintenance for a good portion of products designed and built in south central Kansas. You can enjoy tracing Wichita's early beginnings in aviation by viewing many artifacts and exhibits housed at the Kansas Aviation Museum in southeast Wichita on the old Wichita Municipal Airport site attached to McConnell Air Force Base.

I would like to introduce representatives from these companies: Peggy Deiter - Bombardier Business Aircraft; Clint Strong and Nissa Poulson - FlightSafety International; Barb Kramer and Magan Bearman - Kansas Aviation Museum; Misty McAninch - Lee Aerospace; Tom Aldag - National Institute for Aviation Research; Josh Wells - Spirit AeroSystems; Stephanie Harder - Textron Aviation; James Hall - Wichita Area Technical College/National Center for Aviation Training.

I hope you will take time out of your schedule to check out the exhibits, chat with the company representatives, and grab lunch. Please join me in recognizing these companies and thanking them for their many contributions to the aviation/aerospace industry in Kansas.

INTRODUCTION OF GUESTS

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

Today we are celebrating National Speech and Debate day a day early. Why? We will be Pro Forma tomorrow and high school students all over the State will be traveling to competitions, so it is now or never.

After more than fifty years of involvement in speech and debate activities, I still believe these activities are among the very best educational endeavors a student can pursue.

Students learn:

- To be on time
- To be part of a team and rely on a partner
- To research and understand a point of view
- To communicate with people of different backgrounds and views
- To speak clearly and in an organized manor
- To defend a position with logic, reasoning, and evidence
- To listen and understand opposing arguments
- To work now for a delayed reward

To name just a few of the skills these activities teach.

Today, we have the Topeka High Speech and Debate team here to help us celebrate. Students are: Nell DeCoursey Brennan, Jesse Reed, Grace Hatesohl, Gemma Flores and Coach Dustin Rimmey.

Please join me in recognizing speech and debate programs around the state and across the nation.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2760, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; criminal possession of a firearm by a convicted felon; amending K.S.A. 2017 Supp. 21-6804 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2761, AN ACT concerning income taxation; relating to Kansas itemized deductions of an individual; amending K.S.A. 2017 Supp. 79-32,120 and repealing the existing section, by Committee on Taxation.

HB 2762, AN ACT concerning taxation; relating to mechanical amusement devices, tax stamps; sales tax exemptions; amending K.S.A. 2017 Supp. 79-3603 and repealing the existing section, by Committee on Taxation.

HB 2763, AN ACT concerning sales taxation; relating to exemptions, Ronald McDonald house charities of Wichita, inc.; amending K.S.A. 2017 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Agriculture: **SB 405**.

Appropriations: **HB 2759, HCR 5027**.

Commerce, Labor and Economic Development: **SB 185**.

Elections: **SB 264**.

Energy, Utilities and Telecommunications: **SB 279**.

Judiciary: **SB 281, SB 309, SB 336, SB 374**.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **Sub HB 2103, HB 2606** from the Committee on Appropriations and re-referral to the Calendar under the heading General Orders.

Also, the withdrawal of **HB 2707** from the Committee on Appropriations and referral to the Calendar under the heading General Orders.

Also, the withdrawal of **HB 2494, HB 2526, HB 2741** from Committee on Appropriations and re-referral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2613** from Committee on Appropriations and re-referral to Committee on Education.

Also, the withdrawal of **HB 2445, HB 2561, HB 2636, HB 2697** from Committee on Appropriations and re-referral to Committee on K-12 Education Budget.

Also, the withdrawal of **HB 2629** from Committee on Appropriations and re-referral to Committee on Local Government.

MESSAGES FROM THE GOVERNOR

HB 2437 approved on March 1, 2018

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

COMMITTEE OF THE WHOLE

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

Recommended that Committee report recommending a substitute bill to **HB 2332** be adopted.

Also, on motion of Rep. Whipple to amend **Sub HB 2332**, Rep. Esau requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

Also, roll call was demanded on motion of Rep. Whipple to amend **Sub HB 2332** on page 2, following line 16, by inserting:

"Sec. 2. K.S.A. 2017 Supp. 75-7203 is hereby amended to read as follows: 75-7203. (a) The information technology executive council is hereby authorized to adopt

such policies and rules and regulations as necessary to implement, administer and enforce the provisions of this act.

(b) The council shall:

(1) Adopt: (A) Information technology resource policies and procedures and project management methodologies for all state agencies; (B) an information technology architecture, including telecommunications systems, networks and equipment, that covers all state agencies; (C) standards for data management for all state agencies; and (D) a strategic information technology management plan for the state;

(2) provide direction and coordination for the application of the state's information technology resources;

(3) designate the ownership of information resource processes and the lead agency for implementation of new technologies and networks shared by multiple agencies in different branches of state government; ~~and~~

(4) identify and establish best practices to address and prevent cyberbullying; and
 (5) perform such other functions and duties as necessary to carry out the provisions of this act.;

Also on page 2, in line 17, by striking "is" and inserting "and 75-7203 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "powers and duties; cyberbullying;"; also in line 2, after "75-7202" by inserting "and 75-7203"; in line 3, by striking "section" and inserting "sections"

On roll call, the vote was: Yeas 53; Nays 68; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Baker, Ballard, Bishop, Brim, Burroughs, Carlin, Carmichael, B. Carpenter, Clayton, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Ellis, Finney, Frownfelter, Gartner, Good, Helgerson, Henderson, Hibbard, Hodge, Holscher, Horn, Kessinger, Koesten, Kuether, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, Phelps, Pittman, Rooker, Ruiz, Sawyer, Stogsdill, S. Swanson, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Awerkamp, Barker, Becker, Bergquist, Blex, Burris, Claeys, Clark, Concannon, Corbet, E. Davis, Delperdang, Dove, Elliott, Eplee, Esau, Finch, Francis, Garber, Hawkins, Highberger, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Lewis, Markley, Mason, Mastroni, Osterman, F. Patton, Phillips, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Sutton, Tarwater, Thimesch, Thompson, Trimboli, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Aurand, Gallagher, K. Jones, Landwehr.

The motion of Rep. Whipple did not prevail and **Sub HB 2332** be passed.

Committee report recommending a substitute bill to **HB 2359** be adopted; and **Sub HB 2359** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2562** be amended on page 1, in line 30, by striking all after "section"; in line 31, by striking all before "when";

On page 2, in line 1, after "(f)" by inserting "On or before January 15, 2020, and each January 15 thereafter, the legislative chief information technology officer shall submit a report to the legislature on the accessibility of legislative proceedings to the public. Such report shall include the volume of traffic on the legislative website and the number of times audio and video broadcasts were accessed during the preceding year.

(g) "; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2755** 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 **Taxation** recommends **HB 2527** be amended on page 1, in line 12, by striking "6" and inserting "7"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on Calendar and Printing recommends on requests for resolutions and certificates that

Request No. 37, by Representative Kristey Williams, honoring Youth Leadership Butler, Class of 2017-18 for their efforts to improve civic responsibility in Butler County;

Request No. 38, by Representative Gail Finney, commending Lavonta Williams for forty-five years of outstanding education and public service;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

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 bill was introduced and read by title:

HB 2764, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; affiliation of the Kansas department of wildlife, parks and tourism; membership of certain law enforcement officers and employees; employee and employer contributions, by Committee on Appropriations.

REPORT ON ENROLLED RESOLUTIONS

HR 6049 reported correctly enrolled and properly signed on March 1, 2018.

On motion of Rep. Hineman the House adjourned pro forma until 9:00 a.m. on Friday, March 2, 2018.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*