

Journal of the House

SEVENTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 6, 2019, 11:00 a.m.

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

The roll was called with 116 members present.

Reps. Bishop, Henderson, Kuether, Lewis and Sutton were excused on verified illness.

Rep. Hawkins was excused on legislative business.

Reps. Pittman, Thimesch and Whipple were excused on excused absence by the Speaker.

Prayer by guest chaplain, Joseph Rupnick, Chairman, Prairie Band Potawatomi Nation, Mayetta, and guest of Rep. Victors:

Mamogosnan shpemek
Ematmoyak enotmen
Iw kshe enchiwenmoyak ode mno gishget
Mamogosnan, ebyedoyen ge ninan ode mnobmadzewen
Mine enchiwenmoyak jayek emingoyak
Medagwendan ebyeyak shote ngom
Nizhok moshek ewi mno widokoyak
Kewabmiyak etso nangotoygo
Mine no zho ge winwa jayek ebyewat
Iw enajmoyan.

The father of all of us above
Prayers hear them from us
We are grateful for this good day
Creator, you bring us good health and life
And we are grateful for all you give us
I am glad we have come here today
Help us as we work together
Watch over each and every one of us
And bless all of them who have come
Amen.

The Pledge of Allegiance was led by Rep. Victors.

INTRODUCTION OF GUESTS

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

Carole Cadue-Blackwood recently received the 2018 National Indian Education Parent of the Year Award, presented at the annual convention in Hartford, Connecticut. Mrs. Cadue-Blackwood is a member of the Kickapoo tribe in Kansas and a mother of three. She earned her Associate's Degree from Haskell Indian Nations University, Bachelor's Degree in Political Science from the University of Kansas, and she is currently pursuing her Master's Degree at KU's School of Social Welfare. She is a longtime volunteer at the Willow Domestic Violence Center and in 2016, she received the United Way Community Volunteer Award. She has also volunteered in the shelter as a court advocate. She serves on many parent committees and she enjoys educating the youth about domestic violence prevention.

Mrs. Cadue-Blackwood brought the proposal forward to the Lawrence Board of Education to change the name of South Middle School to Billy Mills Middle School, to honor the Native American Olympic gold medalist. Last year, she and her daughter were influential in HB 2498, the Native American Regalia bill. Today, I would like to honor and congratulate Carole Cadue-Blackwood for her strong leadership as a parent and advocate for our community.

Rep. Victors presented Mrs. Cadue-Blackwood with a Native American shawl in honor of her many achievements.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2148, AN ACT concerning the employment security law; relating to benefits for privately contracted school bus drivers; amending K.S.A. 2018 Supp. 44-706 and repealing the existing section, by Representative Rhiley.

HB 2149, AN ACT concerning the Kansas medical assistance program; relating to the timely determination of eligibility, by Committee on Children and Seniors.

HB 2150, AN ACT concerning education; relating to bullying; creating the Kansas hope scholarship act; amending K.S.A. 2018 Supp. 79-32,117 and repealing the existing section, by Representatives Erickson and Humphries.

HB 2151, AN ACT concerning citizen-initiated grand juries; relating to immunity from civil liability; witnesses; amending K.S.A. 2018 Supp. 22-3001 and 22-3008 and repealing the existing sections, by Committee on Judiciary.

HB 2152, AN ACT concerning physically disabled persons; relating to assistance animals; procedures for assistance animal accommodations in housing; amending K.S.A. 2018 Supp. 39-1103 and repealing the existing section, by Committee on Judiciary.

HB 2153, AN ACT repealing K.S.A. 2018 Supp. 60-5311, 60-5312 and 60-5313; relating to student religious associations, by Committee on Federal and State Affairs.

HB 2154, AN ACT concerning employment security law; relating to availability of benefits for certain public employees required to work but not receiving wages; establishing the federal and state essential employee assistance fund; amending K.S.A. 2018 Supp. 44-703, 44-704 and 44-705 and repealing the existing sections, by Committee on Rural Revitalization.

HB 2155, AN ACT concerning the department of health and environment; pertaining to the state medicolegal death investigation system; establishing the office of the state medical examiner; training and continuing education requirements of district and county coroners; penalties; amending K.S.A. 22a-226 and K.S.A. 2018 Supp. 75-5603 and repealing the existing sections, by Committee on Health and Human Services.

HB 2156, AN ACT relating to pesticides; amending the Kansas pesticide law; concerning inspection reports for wood-destroying pests; amending K.S.A. 2-2453 and repealing the existing section, by Committee on Agriculture.

HB 2157, AN ACT concerning public assistance programs; relating to the temporary assistance for needy families program; administration by the Kansas department for children and families; requirements and limitations for receiving benefits; amending K.S.A. 2018 Supp. 39-702 and 39-709 and repealing the existing sections, by Committee on Children and Seniors.

HB 2158, AN ACT concerning the disposition of state real property; authorizing the state board of regents on behalf of the university of Kansas to sell certain real property in Douglas county, by Committee on Appropriations.

HB 2159, AN ACT concerning the disposition of state real property; authorizing the state board of regents on behalf of Kansas state university to sell certain real property in Saline county, by Committee on Appropriations.

HB 2160, AN ACT concerning sales and compensating use tax; relating to countywide retailers' sales tax; election, Wabaunsee county; amending K.S.A. 2018 Supp. 12-187 and repealing the existing section, by Committee on Taxation.

HB 2161, AN ACT relating to animals; creating the Kansas animal abuse offender repository; establishing the repository within the Kansas bureau of investigation; requiring district court clerks to forward case information to the bureau; requiring certain individuals and entities licensed under the Kansas pet animal act to check the repository, by Representative Alcalá.

HB 2162, AN ACT concerning the Kansas consumer protection act; relating to definitions; consumer transaction; supplier; amending K.S.A. 2018 Supp. 50-624 and repealing the existing section, by Committee on Judiciary.

HB 2163, AN ACT concerning health and healthcare; enacting the veterans first medical cannabis act; relating to medical cannabis; providing for registration of patients; licensure of medical cannabis grower-distributors and medical cannabis dispensaries; establishing the cannabis regulatory commission; taxation of cannabis; amending K.S.A. 65-2836, 65-28a05, 65-28b08 and 79-5210, K.S.A. 2017 Supp. 65-1120, as amended by section 5 of chapter 42 of the 2018 Session Laws of Kansas, and K.S.A. 2018 Supp. 21-5703, 21-5705, 21-5706, 21-5707, 21-5709, 21-5710, 79-3606 and 79-5201 and repealing the existing sections, by Representatives Karleskint, Holscher, Horn and Kessinger.

HB 2164, AN ACT repealing K.S.A. 2018 Supp. 60-5322; concerning the adoption protection act, by Representative Ousley.

HB 2165, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; affiliation and membership of certain employees of the department of corrections located at correctional institutions and juvenile correctional facilities in the Kansas police and firemen's retirement system; employee and employer contributions, by Representatives Delperdang, Bergquist, Capps, W. Carpenter, Highland, Hoheisel, Holscher, Howard, Humphries, Jacobs,

Jennings, Moore, Owens, F. Patton, Pittman, Probst, Resman, Seiwert, Smith, E. and Thomas.

HB 2166, AN ACT concerning school districts; relating to personal financial literacy courses; amending K.S.A. 72-3217 and 72-3236 and repealing the existing sections, by Committee on Education.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2147**.

Education: **HB 2144**.

Financial Institutions and Pensions: **HB 2139**, **HB 2140**, **HB 2141**, **HB 2142**.

Health and Human Services: **HB 2146**.

Insurance: **HB 2143**.

Judiciary: **HB 2137**.

K-12 Education Budget: **HB 2145**.

Local Government: **HB 2135**, **HB 2136**.

Taxation: **HB 2138**.

MESSAGES FROM THE SENATE

Announcing passage of **SB 9**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

SB 9

CONSENT CALENDAR

No objection was made to **HB 2044**, **HB 2063** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2044, AN ACT concerning income taxation; relating to credits; certain purchases of goods and services from qualified vendors that provide employment to individuals who are blind or severely disabled; qualifications, procedures and limitations, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 1; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Amyx, Arnberger, Awerkamp, Baker, Ballard, Barker, Benson, Bergquist, Blex, Burris, Burroughs, Capps, Carlin, Carlson, Carmichael, Carpenter, B., Carpenter, W., Claeys, Clark, Clayton, Collins, Concannon, Corbet, Cox, Croft, Curtis, Delperdang, Dierks, Dietrich, Donohoe, Dove, Ellis, Eplee, Erickson, Esau, Finch, Finney, Francis, French, Frownfelter, Garber, Gartner, Helmer, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Hoheisel, Holscher, Horn, Houser, Howard, Huebert, Humphries, Jacobs, Jennings, Johnson, Karleskint, Kelly, Kessinger, Landwehr, Long, Lusk, Lynn, Mason, Mastroni, Moore, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Owens, Pannbacker, Parker, Patton, Phillips, Probst, Proehl,

Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sawyer, Schreiber, Seiwert, Smith, A., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Vickrey, Victors, Waggoner, Ward, Warfield, Warren, Wasinger, Waymaster, Weigel, Wheeler, Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Helgerson.

Present but not voting: none.

Absent or not voting: Bishop, Hawkins, Henderson, Kuether, Lewis, Pittman, Sutton, Thimesch, Whipple.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I vote yes on **HB 2044**, however I have some concerns. I believe this is a good idea, but I am worried that the extra revenue brought in by this may be used for administrative cost instead of being used to raise wages for the 30% of employees, who are intellectually and developmentally disabled. This is desperately needed. I believe there is a need for oversight to see that the funds raised are properly allocated to the right place. – STAN FROWNFEITER

HB 2063, AN ACT concerning property tax; relating to cities and counties; approval of budgets, assuming an abolished entity; amending K.S.A. 2018 Supp. 79-2925c and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 102; Nays 14; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Amyx, Arnberger, Averkamp, Baker, Ballard, Benson, Blex, Burroughs, Capps, Carlin, Carlson, Carpenter, W., Claeys, Clark, Clayton, Collins, Concannon, Corbet, Cox, Croft, Curtis, Dierks, Dietrich, Donohoe, Ellis, Eplee, Erickson, Esau, Finch, Finney, Francis, French, Frownfelter, Gartner, Helmer, Hibbard, Highberger, Highland, Hineman, Hodge, Hoheisel, Holscher, Horn, Houser, Howard, Huebert, Humphries, Jennings, Johnson, Karleskint, Kelly, Kessinger, Landwehr, Long, Lusk, Lynn, Mastroni, Moore, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Owens, Pannbacker, Parker, Patton, Phillips, Probst, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sawyer, Schreiber, Seiwert, Smith, A., Smith, E., Stogsdill, Thomas, Thompson, Toplikar, Vickrey, Victors, Waggoner, Ward, Warfield, Warren, Wasinger, Waymaster, Weigel, Wheeler, Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Barker, Bergquist, Burriss, Carmichael, Carpenter, B., Delperdang, Dove, Garber, Helgerson, Hoffinan, Jacobs, Mason, Rhiley, Tarwater.

Present but not voting: none.

Absent or not voting: Bishop, Hawkins, Henderson, Kuether, Lewis, Pittman, Sutton, Thimesch, Whipple.

The bill passed.

On motion of Rep. Mason, the House resolved into the Committee of the Whole, with Rep. Claeys in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2001**, **HB 2038** be passed.

Committee report to **HB 2039** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2045** be passed.

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 2167, AN ACT concerning wildlife; relating to the transferability of deer permits, by Committee on Commerce, Labor and Economic Development.

HB 2168, AN ACT concerning state property; relating to Kansas state university; authorizing the state board of regents to sell and convey certain real property in Cherokee county and Riley county, by Committee on Higher Education Budget.

HB 2169, AN ACT concerning the campaign finance act; relating to express advocacy for a candidate; concerning certain disclosures in advertisements; amending K.S.A. 2018 Supp. 25-4143 and 25-4156 and repealing the existing sections, by Committee on Elections.

HB 2170, AN ACT concerning campaign finance; requiring electronic filing of reports for state offices; amending K.S.A. 2018 Supp. 25-4148 and repealing the existing section, by Committee on Elections.

HB 2171, AN ACT concerning campaign finance; relating to political ads; amending K.S.A. 2018 Supp. 25-4156 and repealing the existing section, by Committee on Elections.

HB 2172, AN ACT concerning late filing of lobbyist reports; amending K.S.A. 2018 Supp. 46-280 and repealing the existing section, by Committee on Elections.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Finch announced the appointment of Rep. Sawyer to replace Rep. Pittman on Committee on Transportation and Public Safety Budget on February 6, 2019.

Also, the appointment of Rep. Xu to replace Rep. Kuether on committee on Judiciary on February 6, 2019.

Also, the appointment of Rep. Horn to replace Rep. Bishop on committee on Insurance on February 6, 2019.

On motion of Rep. Mason, the House adjourned until 11:00 a.m., Thursday, February 7, 2019.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*
SUSAN W. KANNARR, *Chief Clerk.*