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

The roll was called with 122 members present. Reps. Ballard and S. Ruiz were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker,

Gracious and loving God,
thank You for the grace and patience
You extend to us daily.
As our leaders continue to process
the myriad of bills and resolutions,
help them to offer the same grace and patience
to one another.
Grace is unmerited favor,
and we give it to one another even though
we may not think one deserves it.
Patience is being steadfast and longsuffering
with one another.
We can only offer this to each other if we
allow You to speak into our hearts
and we follow Your will and Your example.
I pray this will be so today
among our leaders.
In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Delperdang.

INTRODUCTION OF GUESTS

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

The Governor signed a Proclamation that today, March 7, 2019, is Kansas Phi Theta Kappa All-State Academic Team Day. Today I am proud to introduce to you the Phi Theta Kappa All-State Academic Team. Ten of the scholars are here on the Floor and the remainder are in the gallery.
Phi Theta Kappa is an International Honor Society for two-year colleges that symbolizes excellence in higher education and a commitment to students. Students with a GPA of 3.5 or higher are invited to join Phi Theta Kappa whose mission is two-fold:

- to recognize and encourage the academic achievement of two-year college students, and
- to provide opportunities for individual growth and development through participation in honors, leadership, service and fellowship programming.

Sixty-one students have been named to the All Kansas Academic Team and they represent all nineteen community colleges from across Kansas, and were named to this team based upon their academic achievement, leadership and community service.

For the first time, six technical students have been named as Phi Theta Kappa Scholars. In order to qualify, a Workforce Pathway student (technical student) must be on track to receive an Associate Degree or Certificate and will enter the Workforce following earning that credential (not intending to transfer); have a minimum of 12 college level credit hours. (All-USA/New Century Transfer students have to have at least 36 credits by December 31, 2018; and have a 3.50 GPA).

Because of their academic achievement, service and leadership, these scholars have been awarded scholarships or stipends and I wanted to be sure you were aware of this impressive group of young scholars from the Kansas Community Colleges.

Rep. Proehl introduced the following 2019 Phi Theta Kappa Representatives:

- Rebekah Morris – Coffeyville Community College
- Ashley Nooner – Kansas City, Kansas Community College
- Sarah Rightmer – Labette Community College
- Tara Collins – Highland Community College
- Levi Harris – Butler Community College
- JaelAnn Hoover – Cloud County Community College
- Aneth Morales Canales – Dodge City Community College
- Hannah Kraxberger – Neosho County Community College
- Imani Lemon – Allen Community College
- Judith Gutierrez – Barton Community College

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

- Federal and State Affairs: **HB 2390**.
- Health and Human Services: **HB 2389**.

CHANGE OF REFERENCE

Speaker Pro Tem Finch announced the withdrawal of **HB 2373** from the Committee on Appropriations and referral to the Committee on Transportation.

Also, the withdrawal of **SB 67** from the Committee on Financial Institutions and Pensions and referral to the Committee on Insurance.
INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

HOUSE RESOLUTION No. **HR 6014**—

On emergency motion of Rep. Carlin, **HR 6014**, by Reps. Carlin, Winn, Alcala, Amyx, Ballard, Benson, Bishop, Burroughs, Carmichael, Clayton, Cox, Curtis, Dierks, Dietrich, Finney, Gartner, Helgerson, Hightberger, Hodge, Holscher, Horn, Kuether, Lusk, Murnan, Neighbor, Ohaebosim, Parker, Pittman, Probst, L. Ruiz, Sawyer, Stogsdill, Ward, Warfield, Weigel, Wolfe Moore, Woodard and Xu, as follows, was introduced and adopted:

**HR 6014**— A RESOLUTION recognizing March 8, 2019, as International Women's Day.

WHEREAS, International Women's Day is an annual celebration of women's cultural, educational, economic, political, and social accomplishments. International Women's Day recognizes women's achievements regardless of cultural, economic, ethnic, linguistic, national, or political divisions; and

WHEREAS, The campaign theme of International Women's Day 2019 is: "#BalanceforBetter." This theme emphasizes the message "better the balance, better the world"; and

WHEREAS, On February 28, 1909, the first National Women's Day was observed in the United States. Two years later, on March 19, 1911, the first International Women's Day was observed by more than one million women and men in Austria, Denmark, Germany, and Switzerland; and

WHEREAS, Following the outbreak of World War I, International Women's Day became a means to protest and demonstrate solidarity. On March 8, 1917, women in Russia went on strike for "Bread and Peace." They acquired the right to vote from the provisional government four days later; and

WHEREAS, On June 26, 1945, the Charter of the United Nations was signed, marking the first affirmation of equality between women and men by international agreement; and

WHEREAS, On March 8, 1975, the United Nations celebrated International Women's Day for the first time. Two years later, International Women's Day was declared a day for international peace and women's rights by resolution in the General Assembly; and

WHEREAS, Currently, 28% of the members of the Kansas Legislature are women, including 31 representatives and 14 senators; and

WHEREAS, Equality between women and men is a societal ideal: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize March 8, 2019, as International Women's Day; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send 20 enrolled copies of this resolution to Representative Carlin.
INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Winn and Carlin are spread upon the Journal:

The theme for International Women’s Day this year is: **Better the Balance, Better the World.**

International Women's Day goes back to 1913, over 100 years ago when our great grandmothers joined with women all over the world to celebrate International Women’s Day. In the United States they were involved in working to get the right to vote for women. They knew how important women are in the entire world.

Kansas has really strong women who pioneered here in the 1800’s and scored record setting achievements for women.

- Kansas was the first state to put women's suffrage on the ballot – it didn't pass this time.
- Kansas was the first state to elect a woman mayor in the country - Susanna Salter from Argonia, Kansas.
- Sandra Day O'Connor – first woman on Supreme Court appointed by President Ronald Reagan. – O’Connor, as quoted by current member of the Supreme Court, Ruth Bader Ginsberg – appointed by President Bill Clinton - "....As society sees what women can do, as WOMEN see what women can do, there will be more women out there doing things and we will all be better off for it." (p.91, In My Own Words, RBG, 2016, Simon and Schuster).

Women of International Distinction from Kansas include:

- Sen. Nancy Landon Kassebaum, three time U.S. Senator, noted moderate, and one of those credited with establishing the Tall Grass Prairie National Preserve in the Flint Hills.
- Joan Wagnon, former Mayor of Topeka, and leader in the efforts to ratify the ERA in Kansas. The state of Kansas was one of the earliest to ratify.
- Elizabeth Dole, former head of the International Red Cross, and married to Bob Dole, the former Majority leader of the U.S. Senate.
- Susan Wagle – I believe -- is the first woman to be elected President of a state Senate.

Kansas also has 31 women members of the Kansas House of Representatives and 14 Members of the Kansas Senate - and recently elected our third woman Governor.

Reps. Winn and Carlin introduced the many influential women who joined them on the House floor.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

**HOUSE RESOLUTION No. HR 6015—**

On emergency motion of Rep. Eplee, **HR 6015**, by Reps. Eplee, Amyx, Arnberger, Baker, Barker, Blex, Clark, Cox, Croft, Delperdang, Dietrich, Dove, Ellis, Esau, Garber, Helmer, Highland, Hineman, Hoheisel, Jennings, Karleskint, Lusk, Lynn, Mason, Mastroni, Neighbor, Orr, Pannbacker, Phillips, Resman, Rhiley, Ryckman, Samsel, A. Smith, Thompson, Victors, Wasinger, Weigel and Williams, as follows, was introduced and adopted:
HR 6015—A RESOLUTION recognizing March 20, 2019, as Kick Butts Day.

A RESOLUTION recognizing March 20, 2019, as Kick Butts Day and condemning e-cigarette use as a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.

WHEREAS, Kick Butts Day is observed across the nation on March 20, 2019; and

WHEREAS, First observed in 1996, Kick Butts Day encourages and empowers students annually to "stand out, speak up, and seize control against Big Tobacco," under the direction of the Campaign for Tobacco-Free Kids; and

WHEREAS, On Kick Butts Day, events are organized to further three main goals. These goals include "raising awareness of the problem of tobacco use," encouraging students "to reject the tobacco industry's deceptive marketing and stay tobacco-free," and urging government leaders to safeguard youth against tobacco use through official action; and

WHEREAS, Over the last 10 years, e-cigarette use, commonly known as vaping, has skyrocketed among America's youth. Recently, the U.S. Surgeon General reported a 78% annual increase in e-cigarette use among high school students nationwide. Currently, one in 10 of Kansas' 11,500 high school student-smokers is an e-cigarette user; and

WHEREAS, E-cigarettes contain toxic chemicals, including propylene glycol, vegetable glycerin and flavorings, and nicotine, that are known to ravage users' oral and overall health. These chemicals have been linked to the destruction of tooth enamel, cavities, gum disease, death of gum tissue, and other medical issues; and

WHEREAS, Nicotine is a highly addictive substance that poses a special harm to adolescent users. Adolescent users can become more easily addicted to nicotine than adults, and the resulting addictions can render the brain more susceptible to other drug addictions, including cocaine; and

WHEREAS, Juul e-cigarettes are highly popular among America's youth. They are designed to resemble ordinary flash drives and are easily concealed in pockets, purses, and book bags. Additionally, Juul e-cigarettes use Juul pods containing nicotine salts, a form of delivery that is far more effective and potent than e-liquids; and

WHEREAS, The U.S. Food and Drug Administration Commissioner and the U.S. Surgeon General have declared adolescent e-cigarette use an epidemic; and

WHEREAS, The American Cancer Society and the American Lung Association are working to combat the explosion of adolescent e-cigarette use. In March 2018, the American Lung Association challenged the U.S. Food and Drug Administration's August 2017 decision exempting e-cigarettes from agency review for several years. The suit was filed in conjunction with the American Cancer Society Cancer Action Network, an affiliate of the American Cancer Society, other public health and medical groups, and five individual pediatricians; and

WHEREAS, Overcoming the harms of e-cigarette use is extremely difficult for the afflicted individual to address alone: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize March 20, 2019, as Kick Butts Day. We condemn e-cigarette use as a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms. Accordingly, we recognize the need for additional education, prevention, research, and policy change at the community and societal levels, and we
urge this chamber and other governing bodies to take appropriate steps to ensure that these needs are met; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Eplee.

INTRODUCTION OF GUESTS

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

Thank you, Mr. Speaker, for this opportunity to present HR 6015 and showcase the Second Annual "Kick Butts Day," which serves as a firm reminder of the profound health risks of E-cigs, vaping, and all tobacco products for our young patients in Kansas.

Today, over 100 middle and high school students from across the state have come together in Topeka for Kick Butts Day, a national event aimed at mobilizing youth to raise awareness about the problems of tobacco and electronic smoking device use in their schools and communities. Today is hosted by the American Cancer Society Cancer Action Network, the Tobacco Free Kansas Coalition, and RESIST, a youth-led, statewide movement created to fight against the tobacco industry’s influence on Kansas kids.

There are 61,000 Kansas kids now under 18 and alive today that will die prematurely from smoking at current rates. 8.1% of Kansas high school students smoke and 10.6% use electronic cigarettes. Nationally, use of electronic smoking devices and JUUL increased by 78% last year alone, causing the U.S. Surgeon General to issue a warning calling the use of these devices an "epidemic."

Participants in Kick Butts Day at the Capitol are eager to meet with us today to share their perspectives on tobacco use and vaping in their schools and communities and to ask for your help in creating policy that will reduce youth tobacco and electronic cigarette use in our state.

With me today "at the well" are:

Jaci Charbonneau, Smith Center
Mackenzie Dunigan, Hutchinson
Hailey Kisner, Hutchinson
Allie Utley, Iola
George Bright, Shawnee
Tara Nolen, President of Tobacco Free Kansas Coalition, Wichita
Shelby Rebeck, Shawnee Mission School District
Courtney Hurtig, American Cancer Society Cancer Action Network Ambassador, Overland Park

Also, in our visitors gallery are many young students here today to celebrate and promote "Kick Butts Day."

Please join me in recognizing the solidarity of energy and effort put forth by these organizations and our young constituents represented here today on behalf of "Kick Butts Day."
INTRODUCTION OF GUESTS

Rep. Ward introduced representatives of Junior Leagues of Kansas. He presented them with House certificates in honor of their hard work and contributions to their communities.


COMMITTEE OF THE WHOLE

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

Recommended that committee report to **HB 2160** be adopted; and the bill be passed as amended.

Committee report to **SB 22** be adopted.

Also, on motion of Rep. Corbet, **SB 22** be amended on page 21, in line 28, by striking all after "beverages"; in line 29, by striking all before "or"; in line 30, by striking "does include bottled water" and inserting "includes any items eligible to be purchased with food stamps issued by the United States department of agriculture";

On page 30, by striking all in lines 18 through 43;
On page 31, by striking all in lines 1 through 13

Also, roll call was demanded on motion of Rep. Ward to amend **SB 22**, on page 1, by striking all in lines 12 through 34;
By striking all on pages 2 through 9;
On page 10, by striking lines 1 through 31;
By striking all on pages 13 through 45;
On page 46, by striking all in line 1; in line 2, by striking "79-3221o, 79-32,117",";
also in line 2, by striking the last comma; by striking all in line 3; in line 4, by striking "are" and inserting "is";
And by renumbering sections accordingly;
On page 1, in the title, in line 1, by striking all after "tax"; by striking lines 2 and 3; in line 4, by striking all before ", Kansas"; also in line 4, by striking "sales and"; by striking line 5; in line 6, by striking all before "amending"; in line 7, by striking "79-32,117","; also in line 7, by striking all after "79-32,120"; in line 8, by striking all before the second "and"; in line 9, by striking "sections; also repealing K.S.A. 2018 Supp. 79-3221o" and inserting "section"
On roll call, the vote was: Yeas 40; Nays 81; Present but not voting: 0; Absent or not voting: 3.

Yea:

Nay:
Arberger, Awerkamp, Baker, Barker, Bergquist, Blex, Burris, Capps, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Cox, Croft,

Present but not voting: None.

Absent or not voting: Ballard, Claey, Ruiz, S.

The motion of Rep. Ward to amend SB 22 did not prevail.

Also, roll call was demanded on motion of Rep. Hodge to amend SB 22, on page 1, by striking all in lines 12 through 34;
   By striking all on pages 2 through 9;
   On page 10, by striking all in lines 1 through 31;
   By striking all on page 13;
   On page 14, by striking all in lines 1 through 28; in line 29, by striking the second
   "4" and inserting "2"; also in line 29, by striking "12" and inserting "10";
   On page 18, in line 37, by striking "6" and inserting "4";
   On page 19, in line 4, by striking "6" and inserting "4"; in line 22, by striking
   "October" and inserting "July"; in line 23, by striking "5.5%" and inserting "3.25%";
   On page 31, in line 20, by striking "13" and inserting "11";
   On page 37, in line 40, by striking "13" and inserting "11"; in line 41, by striking
   "13" and inserting "11";
   On page 43, in line 15, by striking "5" and inserting "3"; in line 22, by striking
   "October" and inserting "July"; in line 23, by striking "13" and inserting "11";
   On page 44, in line 34, by striking "13" and inserting "11"; in line 36, by striking
   "13" and inserting "11";
   On page 46, in line 2, by striking "79-32,117,"; in line 3, by striking "79-32,138,";
   And by renumbering sections accordingly;
On page 1, in the title, in line 1, by striking all "addition and"; by striking lines 2 and 3; in line 4, by striking all before "Kansas"; in line 7, by striking "79-32,117:"; also in line 7, by striking "79-32,138,"

On roll call, the vote was: Yeas 39; Nays 82; Present but not voting: 0; Absent or not voting: 3.


Present but not voting: None.
Absent or not voting: Ballard, Claeys, Ruiz, S.

The motion of Rep. Hodge to amend SB 22 did not prevail.

Also, on motion of Rep. Highland to amend SB 22, the motion did not prevail.

Also, roll call was demanded on further motion of Rep. Hodge to amend SB 22 on page 1, by striking all in lines 12 through 34;
By striking all on pages 2 through 9;
On page 10, by striking all in lines 1 through 31;
On page 12, by striking all in lines 27 through 43;
By striking all on page 13;
On page 14, by striking all in lines 1 through 28; in line 29, by striking the second "4" and inserting "2"; also in line 29, by striking "12" and inserting "10"
On page 18, in line 37, by striking "6" and inserting "4"
On page 19, in line 4, by striking "6" and inserting "4"
On page 31, in line 20, by striking "13" and inserting "11"
On page 37, in line 40, by striking "13" and inserting "11"; in line 41, by striking "13" and inserting "11"
On page 43, in line 15, by striking "5" and inserting "3"; in line 23, by striking "13" and inserting "11"
On page 44, in line 34, by striking "13" and inserting "11"; in line 36, by striking "13" and inserting "11"
On page 46, in line 2, by striking "79-32,117,"; in line 3, by striking "79-32,138,"; And by renumbering sections accordingly;
On page 1, in the title, in line 1, by striking "addition and"; by striking lines 2 and 3; in line 4, by striking all before "Kansas"; in line 7, by striking "79-32,117,"; also in line 7, by striking "79-32,138,"
On roll call, the vote was: Yeas 39; Nays 81; Present but not voting: 0; Absent or not voting: 4.


Present but not voting: None.
Absent or not voting: Ballard, Carmichael, Landwehr, Ruiz, S.
The motion of Rep. Hodge to amend SB 22 did not prevail.

Also, roll call was demanded on motion to recommend SB 22 favorably for passage. On roll call, the vote was: Yeas 80; Nays 42; Present but not voting: 0; Absent or not voting: 2.
Present but not voting: None.
Absent or not voting: Ballard, Ruiz, S.
The motion prevailed and SB 22 be passed as amended.

Upon unanimous prevailed and SB 22 be passed as amended.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2391, AN ACT concerning public employees; relating to recertification of professional employees' organizations; creating the professional negotiations act; amending K.S.A. 72-2221, 72-2222, 72-2223 and 72-2237 and repealing the existing sections, by Committee on Appropriations.

COMMITTEE ASSIGNMENT CHANGES

Also, the appointment of Rep. Lusk to replace Rep. S. Ruiz on Committee on Social Service Budget Services on March 11, 2019.

On motion of Rep. Hawkins, the House adjourned until 8:30 a.m., Friday, March 8, 2019.

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