

Journal of the House

TWENTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 7, 2017, 11:00 a.m.

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

The roll was called with 123 members present.

Reps. Becker and Kiegerl were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,
We stand before You today grateful for
the many blessings and privileges You grant to us daily.
Help our leaders today to keep in their minds the thoughts of others,
to have a listening and receptive heart, and an open mind.
Keep them mindful that they represent the people of this state
and help them to do the will of what is best for the people.
May they draw upon the truth derived from a diversity of opinions
to form a solid foundation upon which a stable future can be established.
Help them to not get caught up in short-term gains or even in self-interest,
but help them to have clear analysis, wise depth perception,
and creative solutions for the common good of our state.
This I ask in Christ's Name,
Amen.

The Pledge of Allegiance was led by Rep. Kelly.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Reps. Hawkins and Wilson are spread upon the Journal.

Remarks of Rep. Hawkins:

Multiple sclerosis (MS) is a chronic, unpredictable neurologic disease that affects the central nervous system. Symptoms vary and may include: abnormal fatigue, vision problems loss of balance and muscle coordination, slurred speech, tremors, stiffness, bladder problems and cognitive and emotional changes. Some symptoms will come and go over the course of the disease while others can be permanent. There is no cure at this time.

Approximately 20-25% of individuals with MS need long-term care services at some point during their illness. Another 5% will require care in a long-term care facility. The average age of admission to a nursing home for a person with MS is 58.

MS research is good for Kansas' economy. Since 2008, NIH has awarded over \$762 million to Kansas institutions. The dollars are used for research and innovation at universities, medical centers and independent research institutes. NIH has helped make significant progress in understanding MS lesions and analyzing how the immune system responds to different stimulus. Approximately 20% of all FDA priority drugs are directly attributable to NIH researchers. NIH funding is the foundation of the biosciences industry and is essential for creating cures, discovering preventive measures and treatments.

The National Multiple Sclerosis Society advocates for changes in public policy to improve the quality of life for those with MS. Its priority policy areas focus on increased access to health care and prescription drugs, increased funding for MS research, healthcare transparency, long-term care services, and disability rights.

Remarks of Rep. Wilson:

Members of the Kansas MS Caucus will...

- Seek creative solutions to the challenges facing people with MS;
- Raise awareness and promote education about MS in our efforts to move closer to a world free of this disease;
- Network with others who would like to move closer to a world free of MS;
- Receive email communication about MS public policy priorities

Federal MS Caucus Members include Representative Lynn Jenkins, Kevin Yoder and Senator Jerry Moran.

The Kansas Senate MS Caucus Chair is Senator Dan Kershen.

Past House Chairs were Rep. Sue Boldra and Rep. James Todd, who each had a personal connection to MS. A chair with personal MS connection is needed for the 2017-18 session. Each legislator will have an orange folder delivered to their office that includes information about the caucus with MS Society contact information, if anyone is interested in becoming a House Chair.

Current House caucus members are Reps. Ballard, Barker, Bishop, Claeys, Concannon, Curtis, Corbet, Dierks, Gallagher, Hawkins, Hibbard, Johnson, Mason, Rooker, Ruiz, Sutton, Victors, Ward, Whipple, Wilson and Wolfe Moore.

Reps. Hawkins and Wilson were accompanied by family members and individuals who have a personal connection to Multiple Sclerosis. Rep. Hawkins read text of a resolution which will be introduced at a later date.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2285, AN ACT relating to reimbursement to eligible providers for medicaid ground emergency medical transportation services, by Committee on Health and Human Services.

HB 2286, AN ACT concerning income taxation; relating to taxation of corporations, rate of normal tax; amending K.S.A. 2016 Supp. 79-32,110 and repealing the existing section, by Committee on Taxation.

HB 2287, AN ACT concerning income taxation; relating to the Kansas itemized deduction; amending K.S.A. 2016 Supp. 79-32,120 and repealing the existing section, by Committee on Taxation.

HB 2288, AN ACT concerning school districts; relating to the Kansas uniform financial accounting and reporting act; requiring the use of generally accepted accounting principles; amending K.S.A. 2016 Supp. 72-8254 and repealing the existing section, by Committee on K-12 Education Budget.

HB 2289, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; participating service credit; amending K.S.A. 74-4913 and 74-4956 and repealing the existing sections, by Committee on Financial Institutions and Pensions.

HB 2290, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses, unlawful voluntary sexual relations; amending K.S.A. 2016 Supp. 21-5503, 21-5504, 21-5506 and 21-5507 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2291, AN ACT concerning the care and treatment for mentally ill persons; relating to transfer of custody; amending K.S.A. 2016 Supp. 59-2968 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2292, AN ACT concerning alcohol; relating to persons allowed to dispense alcohol; amending K.S.A. 2016 Supp. 41-308a, 41-308b, 41-354, 41-713, 41-2610 and 41-2708 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2293, AN ACT concerning civil procedure; relating to protection orders; protection from abuse act; protection from stalking act; amending K.S.A. 60-3102, 60-31a01, 60-31a03, 60-31a07, 60-31a08 and 60-31a09 and K.S.A. 2016 Supp. 21-5924, 60-31a02, 60-31a04, 60-31a05 and 60-31a06 and repealing the existing sections, by Representatives Ousley, Gallagher, Bishop, Brim, Burroughs, Carlin, Carmichael, Crum, S., Finney, Gartner, Henderson, Highberger, Kessinger, Koesten, Kuether, Lusk, Lusker, Parker, Ruiz, Sawyer, Schreiber, Smith, A., Stogsdill, Terrell, Trimmer, Weigel, Whipple and Wilson.

HB 2294, AN ACT concerning home and community based services; relating to targeted case management services, by Committee on Health and Human Services.

HB 2295, AN ACT concerning places of public accommodation; relating to public areas thereof; requiring closed captioning be enabled on certain televisions therein, by Committee on Health and Human Services.

HB 2296, AN ACT concerning the Kansas state board of cosmetology; membership thereon; merging the powers, duties and functions of the Kansas board of barbering into the Kansas state board of cosmetology; renaming the Kansas state board of cosmetology; amending K.S.A. 65-1,148, 65-1809, 65-1825a, 65-1826, 65-1920, 74-1807, 74-2701, 74-2702, 74-2702a and 74-2706 and K.S.A. 2016 Supp. 39-938, 65-1812, 65-1901, 65-1902, 65-1904a, 65-1904b, 65-1909, 65-1940, 65-2872, 74-2704, 75-2935 and 75-3717 and repealing the existing sections; also repealing K.S.A. 74-1805a and 74-1805b and K.S.A. 2016 Supp. 74-1806, by Committee on Health and Human Services.

HB 2297, AN ACT concerning health and healthcare; relating to nurse aides; pertaining to training requirements; amending K.S.A. 65-5115 and K.S.A. 2016 Supp. 39-936 and 39-1908 and repealing the existing sections, by Committee on Health and

Human Services.

HB 2298, AN ACT concerning the Kansas board of barbering; relating to fees; amending K.S.A. 2016 Supp. 65-1817 and repealing the existing section, by Committee on Health and Human Services.

HB 2299, AN ACT establishing an independent home and community based services ombudsman, by Committee on Health and Human Services.

HB 2300, AN ACT concerning the state health care benefits program; enacting the Rx transparency act; relating to pharmacy benefits managers; requirements and fiduciary duties; audit of the pharmacy benefits management contract, by Committee on Health and Human Services.

HB 2301, AN ACT concerning legislative review of exceptions to disclosure of public records; amending K.S.A. 2016 Supp. 45-229 and 75-7d08 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 45-229c, by Committee on Judiciary.

HB 2302, AN ACT concerning animals; relating to the custody and disposition of cruelly treated animals; amending K.S.A. 2016 Supp. 21-6412 and 21-6414 and repealing the existing sections, by Committee on Judiciary.

HB 2303, AN ACT concerning elections; dealing with the office of president; concerning criteria to have the person's name on the ballot, by Committee on Elections.

HB 2304, AN ACT concerning child care facilities; relating to infant sleeping equipment and sleeping areas; amending K.S.A. 2016 Supp. 65-508 and repealing the existing section, by Representative Burroughs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2279**.

Commerce, Labor and Economic Development: **HB 2282**.

Corrections and Juvenile Justice: **HB 2284**.

Federal and State Affairs: **HB 2273**, **HB 2274**, **HB 2275**, **HB 2276**, **HB 2280**.

Local Government: **HB 2277**, **HB 2278**.

Taxation: **HB 2283**.

Transportation: **HB 2281**.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2184** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2252** from Committee on Taxation and referral to Committee on Education.

Also, the withdrawal of **HCR 5007** from Committee on Taxation and referral to Committee on Federal and State Affairs.

Also, the withdrawal of **SB 15** from Committee on Financial Institutions and Pensions and referral to Committee on Insurance.

COMMUNICATIONS FROM STATE OFFICERS

From Derek Schmidt, Kansas Attorney General, State of Kansas Office of the Attorney General; pursuant to K.S.A. 74-7316, 2016, Annual Report of the Crime Victims Compensation Board.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

CONSENT CALENDAR

No objection was made to **HB 2109** appearing on the Consent Calendar for the first day.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2035**, **HB 2094** be passed.

Committee report to **HB 2053** be adopted; and the bill be passed as amended.

Committee report to **HB 2093** be adopted; also, on motion of Rep. Finch, **HB 2093** be amended, as amended by House Committee, on page 3, in line 15, by striking "this act" and inserting "section 1 of chapter 5 of the 2015 Session Laws of Kansas" and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2191**, **HB 2192** be passed.

Committee on **Financial Institutions and Pensions** recommends **HB 2110** be amended on page 2, in line 14, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Financial Institutions and Pensions** recommends **HB 2111** be amended on page 1, in line 19, after "to" by inserting "50% of the member's final average salary; or, for deaths occurring on or after July 1, 2016,"; in line 23, by striking ", which" and inserting ". Such spouse's benefit"; 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 2305, AN ACT concerning postsecondary educational institutions; relating to the Kansas private and out-of-state postsecondary educational institution act; exempting Cleveland university; amending K.S.A. 2016 Supp. 74-32,164 and repealing the existing section, by Committee on Higher Education Budget.

HB 2306, AN ACT concerning the Kansas sexually violent predator act; relating to examinations; transitional release; conditional release; amending K.S.A. 2016 Supp. 59-29a08, 59-29a10 and 59-29a18 and repealing the existing sections, by Committee on Judiciary.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Wednesday, February 8, 2017.

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

SUSAN W. KANNARR, *Chief Clerk.*

