

# Journal of the House

## SIXTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, February 2, 2016, 11:00 a.m.

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

The roll was called with 120 members present.

Reps. Powell, Seiwert, Sutton and Todd were excused on verified illness.

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

Prayer by Chaplain Brubaker:

Lord God,  
Thank You for this new day  
in which we are free to enjoy Your mercies and blessings.  
As they fulfill their responsibilities throughout the day,  
remind our leaders that  
You know them and call them by name.  
You have created them to do You some definite service.  
You have given them some work which You have not given to others.  
You have given them a mission that is necessary for Your purpose.  
You have made them a part of Your great work.  
You have created them for good, not for naught.  
Now, give them the strength, wisdom and courage  
to walk forward in this charge.  
In Your Son's Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Patton.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2586**, AN ACT concerning public health and welfare; relating to long-acting reversible contraception, by Representatives Bollier, Ballard, Boldra, Burroughs, Carlin, Carmichael, Clark, Doll, Finney, Highberger, Houston, Kuether, Rooker, Sloan, C. Smith, Victors, Ward, Wilson and Winn.

**HB 2587**, AN ACT concerning immigration; relating to sanctuary policies and the prohibition thereof; relating to the duty of law enforcement to cooperate in immigration enforcement, by Committee on Federal and State Affairs.

**HB 2588**, AN ACT concerning schools; relating to the student data privacy act; concerning the school performance accreditation system; amending K.S.A. 2015 Supp. 72-6216, 72-6217 and 72-6479 and repealing the existing sections, by Committee on Education.

**HB 2589**, AN ACT concerning public assistance; relating to school attendance requirements for eligibility; amending K.S.A. 2015 Supp. 39-709 and 72-1111 and repealing the existing sections, by Representative Waymaster.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Children and Seniors: **HB 2585**.

Federal and State Affairs: **HB 2580, HB 2581, HB 2584**.

Health and Human Services: **HB 2578, HB 2579**.

Taxation: **HB 2582, HB 2583**.

#### CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2436** from Committee on Transportation and referral to Committee on Vision 2020.

#### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6033**—

By Representative Billinger

**HR 6033**—A RESOLUTION recognizing the city of Kanorado as the top city in Kansas.

A RESOLUTION recognizing the city of Kanorado as the top city in Kansas.

WHEREAS, The city of Kanorado, located in Sherman County, has an elevation of 3,908 feet, making it the highest elevated city in the state of Kansas: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we recognize the city of Kanorado as the top city in Kansas.

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Billinger.

#### CONSENT CALENDAR

No objection was made to **HB 2485** appearing on the Consent Calendar for the first day.

#### REPORTS OF STANDING COMMITTEES

Committee on **Insurance and Financial Institutions** recommends **HB 2454** be passed.

Committee on **Judiciary** recommends **HB 2289** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2289," as follows:

"Substitute for HOUSE BILL NO. 2289  
By Committee on Judiciary

"AN ACT concerning driving; relating to driving under the influence of alcohol or drugs; test refusal or failure; suspension of license; administrative hearing; procedure; amending K.S.A. 2015 Supp. 8-1002 and 8-1020 and repealing the existing sections.";

And the substitute bill be passed.

( **Sub HB 2289** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 44** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 44," as follows:

"House Substitute for SENATE BILL NO. 44  
By Committee on Judiciary

"AN ACT concerning the commercial real estate broker lien act; relating to conditions, recording and notice of lien; amending K.S.A. 58-30a03, 58-30a07 and 58-30a09 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 44** was thereupon introduced and read by title.)

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 and concurrent resolution were introduced and read by title:

**HB 2590**, AN ACT concerning school districts; authorizing income tax contributions for the benefit of school districts, by Committee on Education.

**HB 2591**, ACT concerning firearms; relating to the personal and family protection act; relating to licensure of active duty military personnel; amending K.S.A. 2015 Supp. 75-7c04 and 75-7c05 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

**HB 2592**, AN ACT concerning crimes, punishment and criminal procedure; relating to burglary; aggravated burglary; amending K.S.A. 2015 Supp. 21-5807 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2593**, AN ACT concerning crimes, punishment and criminal procedure; relating to evidence; videotaping of certain felony interrogations, by Committee on Corrections and Juvenile Justice.

**HB 2594**, AN ACT concerning utilities; relating to the sale of electricity, renewable energy suppliers; concerning the state corporation commission; amending K.S.A. 66-1,170 and K.S.A. 2015 Supp. 66-104 and repealing the existing sections, by Representative Sloan.

**HB 2595**, AN ACT concerning restaurants, retail food establishments and vending machines; relating to regulation of consumer incentive items and labeling of food by political subdivisions, by Committee on Appropriations.

**HB 2596**, AN ACT concerning education; relating to the financing thereof; instruction and curriculum; creating the classroom-based funding act; amending K.S.A. 2015 Supp. 10-1116a, 12-1770a, 12-1775a, 72-1046b, 72-1398, 72-1414, 72-1923, 72-

5333b, 72-64b01, 72-64c03, 72-64c05, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8230, 72-8233, 72-8236, 72-8251, 72-8316, 72-8415b, 72-8804, 72-8908, 72-99a02, 74-4939a, 74-8925, 74-99b43, 79-201x, 79-2001 and 79-2925b and repealing the existing sections; also repealing K.S.A. 2015 Supp. 72-6463, 72-6464, 72-6465, 72-6466, 72-6467, 72-6468, 72-6469, 72-6470, 72-6471, 72-6472, 72-6473, 72-6474, 72-6475, 72-6476, 72-6477, 72-6478, 72-6479, 72-6480 and 72-6481, by Committee on Education Budget.

HOUSE CONCURRENT RESOLUTION No. **HCR 5022**—

By Committee on Federal and State Affairs

A CONCURRENT RESOLUTION urging Congress to propose the regulation freedom amendment to the United States Constitution.

WHEREAS, The growth and abuse of federal regulatory authority threaten our constitutional liberties, including those guaranteed by the Bill of Rights in the First, Second, Fourth and Fifth Amendments of our Constitution; and

WHEREAS, Federal regulators must be more accountable to elected representatives of the people and not immune from such accountability; and

WHEREAS, The United States House of Representatives has passed with bipartisan support the REINS Act to require that Congress approve major new federal regulations before they can take effect; and

WHEREAS, Even if enacted, a law may be repealed or waived by a future Congress and President; and

WHEREAS, An amendment to the United States Constitution does not require the President's approval and cannot be waived by a future Congress and President: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Kansas Legislature does hereby urge the United States Congress to vote to propose the regulation freedom amendment to the United States Constitution as follows:

"Whenever one quarter of the members of the United States House of Representatives or the United States Senate transmits to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House of Representatives and the Senate to adopt that regulation."; and

*Be it further resolved:* That the Secretary of State shall send an enrolled copy of this resolution to each member of Congress, the Speaker of the House of Representatives and the President of the Senate of every state legislature in the United States.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6032** reported correctly enrolled and properly signed on February 2, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 3, 2016.

BECKIE HENDRICKS, JENNY HAUGH, *Journal Clerks*

SUSAN W. KANNARR, *Chief Clerk.*