

Journal of the House

NINETEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 5, 2016, 8:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 118 members present.

Reps. Kiegerl and Seiwert were excused on verified illness.

Reps. Peck, Powell, Rhoades, Suellentrop and Todd were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Eternal God,
We thank You today for the opportunities
and privileges that You provide for us.
As each one goes throughout the day,
encourage us to guard our thoughts.
“Search me, O God, and know my heart;
test me and know my anxious thoughts.”
Help us to watch our mouth – our words.
“May the words of my mouth and the meditation of my heart
be pleasing in your sight.”
And thirdly, keep us mindful of our actions – our deeds.
“...let us not love with words or tongue but with actions and in truth.”
These three things I come to You and request
on behalf of these leaders.
In Your Son’s Name I pray, Amen.
(Ps. 139:23; Ps. 19:14; I John 3:18)

The Pledge of Allegiance was led by Rep. Sutton.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2625, AN ACT concerning STAR bonds and tax increment financing; relating to STAR bond urban redevelopment districts; STAR bond definitions; STAR bond projects; bonds, pledge of tax increment revenue; tax abatements or revenues, limitations; distribution of sales tax revenues from within STAR bond districts; creating

STAR bond administration funds; economic impact studies; base year assessed valuation; STAR bond financing limitations; tax increment financing, eligible areas; amending K.S.A. 2015 Supp. 12-1770a, 12-17,162, 12-17,163, 12-17,164, 12-17,166, 12-17,168, 12-17,169, 12-17,171, 12-17,172, 12-17,174, 12-17,177, 79-3620, 79-3620b and 79-3710 and repealing the existing sections, by Committee on Taxation.

HB 2626, AN ACT concerning taxation; relating to incentives for employment of persons who rely upon medicaid or other government subsidies in order to decrease such reliance; enacting the Kansas tax weight loss act, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2617, HB 2618, HB 2619.**

Corrections and Juvenile Justice: **HB 2620, HB 2621.**

Education: **HB 2622.**

Energy and Environment: **HB 2623.**

Federal and State Affairs: **SB 242.**

General Government Budget: **HB 2624.**

Health and Human Services: **HB 2614, HB 2615, Sub SB 182.**

Judiciary: **SB 19, Sub SB 22.**

Taxation: **HB 2616.**

Veterans, Military and Homeland Security: **SB 313.**

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2438, AN ACT concerning fire districts; adding territory of adjoining cities; amending K.S.A. 19-3605 and 19-3623 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kiegerl, Peck, R. Powell, Rhoades, Seiwert, Suellentrop, Todd.

The bill passed.

HB 2446, AN ACT concerning insurance; relating to motor vehicle liability insurance; increasing minimum policy limit for property damage; amending K.S.A. 40-3107 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 2; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Corbet, McPherson.

Present but not voting: None.

Absent or not voting: Kiegerl, Peck, R. Powell, Rhoades, Seiwert, Suellentrop, Todd.
The bill passed, as amended.

SB 133, AN ACT concerning children and minors; relating to possession or consumption of alcoholic beverages; immunity from liability for minor seeking medical assistance; amending K.S.A. 2015 Supp. 41-727 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 92; Nays 27; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Grosserode, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Mason, McPherson, Merrick, Moxley, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schwartz, Scott, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bradford, B. Carpenter, W. Carpenter, E. Davis, DeGraaf, Esau, Garber, Hawkins, Hedke, Hoffman, Huebert, Hutchins, Hutton, K. Jones, Kahrs, Kelley, Macheers, Mast, O'Brien, Read, Rubin, Scapa, Schroeder, Schwab, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Kiegerl, Peck, R. Powell, Rhoades, Seiwert, Suellentrop.
The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **SB 133**. Government is masterful at eroding personal responsibility at all levels; society is taught choices have no consequences. Minors faced with potential death of a friend from over-intoxication, also being over-intoxicated themselves, have a basic human responsibility to help. If sincere fear of retribution from the law is at issue, anonymous calls and other methods of anonymous reporting or transportation exist. — KASHA KELLEY, JOSEPH SCAPA, RANDY GARBER

SB 188, AN ACT concerning school districts; relating to the Kansas uniform financial accounting and reporting act; relating to publication requirements; amending K.S.A. 2015 Supp. 72-8254 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 58; Nays 61; Present but not voting: 0; Absent or not voting: 6.

Yeas: Barker, Barton, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Finch, Goico, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Phillips, Proehl, Rahjes, Read, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, C. Smith, Sutton, Thimesch, Vickrey, Weber, C., Whitmer, K. Williams.

Nays: Alcalá, Alford, Anthimides, Ballard, Becker, Billinger, Boldra, Bollier, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Edmonds, Ewy, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Helgerson, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Rooker, Ruiz, Sawyer, Schroeder, Schwartz, Scott, Sloan, S. Swanson, Thompson, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Kiegerl, Peck, R. Powell, Rhoades, Seiwert, Suellentrop.

The bill did not pass.

EXPLANATIONS OF VOTE

MR. SPEAKER: **SB 188** is a transparency bill for the sake of school patrons, parents, students, taxpayers, principals, and voting citizens. They deserve easy accessible and easily understood information about how their school districts are allocating public dollars. They should not have to wade through a blizzard of hidden information and multiple links to find out how taxpayer dollars are spent.

Education is over 50 percent of the general fund, so this bill would provide transparency for billions of taxpayer dollars. This bill is necessary to provide a remedy so current law is not ignored. I VOTE YES. — JERRY LUNN, JOHN RUBIN, CHARLES MACHEERS, BILL SUTTON, DENNIS HEDKE, JOHN E. BARKER, PEGGY MAST, JOHN BRADFORD, PETE DEGRAAF, JOHN WHITMER, KASHA KELLEY, RON HIGHLAND, JOSEPH SCAPA

MR. SPEAKER: We vote no on **SB 188**. Representatives Rhoades, Ousley and Boldra have been appointed to a committee to research and define accountability standards for

schools, to create a “dashboard” for school districts to adopt on their websites so that constituents know where the tax dollars are spent. **SB 188** is a duplication of the charge of this committee. – SHARON SCHWARTZ, SUE BOLDRA, JOHN EWY

SB 248, AN ACT repealing K.S.A. 2015 Supp. 76-12a25; concerning key deposit funds, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kiegerl, Peck, R. Powell, Rhoades, Seiwert, Suellentrop.

The bill passed, as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Rubin, the House nonconcurrent in Senate amendments to **S Sub for HB 2049** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Rubin, Gonzalez and Highberger as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **HB 2456** be passed.

REPORT OF STANDING COMMITTEE

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

Request No. 19, by Representative Blake Carpenter, congratulating Derby High School Football Team for winning the 2015 6A State Championship;

Request No. 20, by Representative Blaine Finch, congratulating Delaney Murphy for being named the first Little Miss Wheelchair Kansas;

Request No. 21, by Representative Roderick Houston, commending Superintendent Joseph Cisro Gilkey, Jr. for 14 years of dedicated service to the Charles Pleas District in the Kansas Southwest Jurisdiction of the Church of God in Christ;

Request No. 22, by Representative John Bradford, congratulating Matthew Brooks in recognition for achievement of Eagle Scout;

Request No. 23, by Representative John Bradford, congratulating Samuel Charles Linder in recognition for achievement of Eagle Scout;

Request No. 24, by Representative Tony Barton, commending Mrs. Phyllis Bass for her work as director of the Richard Allen Cultural Center and her work in preservation of Black History;

Request No. 25, by Representative Susan Concannon, congratulating Lindy Richardson Lindquist for her induction into the National 4-H Hall of Fame;

Request No. 26, by Representative Gail Finney, congratulating Rev. LeSean Tarkington for being named pastor of Great Chapel AME Church;

Request No. 27, by Representative Gail Finney, congratulating Rev. Godfrey Patterson for being named pastor of St Paul AME Church:

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. Vickrey, 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 bills were introduced and read by title:

HB 2627, AN ACT concerning public health; relating to maternity centers; birth centers; amending K.S.A. 65-425, 65-431, 65-433, 65-436, 65-439 and 65-501 and K.S.A. 2015 Supp. 59-2123, 65-440, 65-503, 65-504, 65-505, 65-506, 65-507, 65-508, 65-512, 65-513, 65-523, 65-525 and 65-67a10 and repealing the existing sections, by Committee on Health and Human Services.

HB 2628, AN ACT establishing the school district pre-kindergarten program benefit lottery game; establishing the pre-kindergarten program benefit game fund, by Committee on Education.

HB 2629, AN ACT concerning hospitals; relating to vaccination prior to patient discharge, by Committee on Federal and State Affairs.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6035**—

By Representative Hawkins

A RESOLUTION designating February 2016 as Self-Care Month.

WHEREAS, Self-care is a lifelong daily habit of making healthy lifestyle choices, practicing good hygiene, preventing infection and illness, avoiding unhealthy choices, monitoring for signs and symptoms of changes in health, knowing when to consult a healthcare practitioner and knowing when it is appropriate to self-treat conditions; and

WHEREAS, The United States Food and Drug Administration deems over-the-counter medicines safe and effective for the self-care treatment of minor acute and chronic health conditions and symptoms such as pain, the common cold, allergies and other conditions that impact large segments of the population; and

WHEREAS, Over-the-counter medicines are either developed as new nonprescription medicines or switched from existing prescription medicines; and

WHEREAS, Over-the-counter medicines are self-care products that consumers purchase in pharmacies, supermarkets, retail stores and online; and

WHEREAS, Every dollar spent on over-the-counter medicines saves the United States healthcare system six to seven dollars each year – totaling \$102 billion in annual savings; and

WHEREAS, Over-the-counter medicines help to ease the burden on healthcare practitioners, eliminating unnecessary medical examinations which could be avoided with appropriate self-care; and

WHEREAS, Kansas benefits when its citizens practice appropriate self-care, do not unnecessarily visit healthcare practitioners and are subsequently empowered by higher self-esteem, improved health and a reduced reliance on health services; and

WHEREAS, Kansas encourages its citizens to take advantage of self-care's potential to improve personal and public health, save personal and public treasury and strengthen the sustainability of the Kansas health care system; and

WHEREAS, Achieving self-care's potential is a shared opportunity for consumers, healthcare practitioners, policymakers and regulators: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the importance of improving awareness of self-care and the value it represents to the citizens of Kansas; support increased consumer empowerment through the development of new over-the-counter medicines and the appropriate switch of certain prescription medicines to nonprescription; acknowledge that over-the-counter medicines can greatly improve and reduce costs to the public health system; encourage consumers, healthcare practitioners, policymakers and regulators to communicate the benefits of self-care; and designate February 2016 as Self-Care Month in Kansas.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 8, 2016.

BECKIE HENDRICKS, JENNY HAUGH, *Journal Clerks*

SUSAN W. KANNARR, *Chief Clerk*.

