

# Journal of the House

TWENTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 12, 2016, 8:00 a.m.

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

The roll was called with 111 members present.

Reps. Kiegerl and Seiwert were excused on verified illness.

Rep. Claeys was excused on legislative business.

Reps. Campbell, Frownfelter, Gonzalez, Kahrs, Mason, Peck, Powell, Rhoades, Ruiz, Ryckman, Jr. and Tietze were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear Lord,  
Thank You for this another day that You have given us.  
As we look back upon the week,  
thank You for the footprints of your presence with us.  
Thank You for working in the little things  
as well as working in the big topics and discussions  
that these leaders have had to handle this week.  
Thank You for Your goodness in relation  
to helping them work together when there are so many  
ideas and philosophies.  
May they not focus on any failures they may have had,  
but build upon those to be stronger and even more effective leaders.  
This I pray in the Name of Jesus,  
Amen.

The Pledge of Allegiance was led by Rep. Phillips.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2689**, AN ACT concerning consumer protection; relating to debt collection; contact by debt collection solicitors, by Committee on Agriculture and Natural Resources.

**HB 2690**, AN ACT concerning the applied behavior analysis licensure act; relating to definitions; licenses; requirements; fees; powers, duties and functions of the behavioral sciences regulatory board; amending K.S.A. 2015 Supp. 65-7501, 65-7502, 65-7503, 65-7504 and 74-7507 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 65-7505, by Committee on Insurance and Financial Institutions.

**HB 2691**, AN ACT enacting the Kansas safe access act; providing for the legal use of cannabis for medical conditions; providing for the registration and functions of compassion centers; authorizing the issuance of identification cards; establishing the compassion board; providing for administration of the act by the department of health and environment, by Committee on Health and Human Services.

**HB 2692**, AN ACT concerning veterans; relating to disclosures for veterans' benefits and entitlements, by Committee on Veterans, Military and Homeland Security.

**HB 2693**, AN ACT concerning the secretary of agriculture; relating to the authority to promulgate rules and regulations, pesticide application; amending K.S.A. 2015 Supp. 2-2471 and repealing the existing section, by Committee on Energy and Environment.

**HB 2694**, AN ACT concerning crimes, punishment and criminal procedure; relating to driving under the influence; sentencing; amending K.S.A. 2015 Supp. 8-1567 and 21-6804 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2695**, AN ACT concerning the uniform consumer credit code; enacting the respectful lending to Kansas seniors act; relating to consumer loans to senior citizens; maximum finance charges; terms; fees; disclosures; income tax exemption for interest income of certain loans; other requirements; amending K.S.A. 2015 Supp. 79-32,117 and repealing the existing section, by Committee on Federal and State Affairs.

#### **CORRECTION OF REFERENCE**

Speaker Merrick announced that **HB 2686** appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on Education, should be corrected to be referred to Committee on Education Budget.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2684**, **HB 2688**.

Education: **SB 312**.

Education Budget: **HB 2686**.

Federal and State Affairs: **SB 225**, **SB 243**.

Health and Human Services: **HB 2682**, **SB 341**.

Insurance and Financial Institutions: **HB 2683**.

Judiciary: **HB 2687**.

Taxation: **HB 2685**.

Transportation: **Sub for SB 99**, **SB 349**, **SB 373**.

Veterans, Military and Homeland Security: **HCR 5024**.

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Commerce, Labor and Economic Development** recommends **HB 2536** be amended on page 4, in line 27, after "may" by inserting "deny an application for a permit,"; in line 28, by striking all after "may"; in line 29, by striking "permit,"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2484** be passed.

Committee on **Federal and State Affairs** recommends **SB 224** be amended on page 1, in line 7, by striking "2014" and inserting "2015";

On page 4, in line 28, by striking "2014" and inserting "2015";

On page 1, in the title, in line 3, by striking "2014" and inserting "2015"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2024**, be amended as recommended by Committee on Judiciary as reported in the Journal of the House on February 19, 2015, and the bill, as printed with amendments by House Committee, be passed as amended.

Committee on **Judiciary** recommends **HB 2553** be passed.

Committee on **Judiciary** recommends **SB 319** be amended on page 1, in line 15, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 321** be amended on page 1, in line 31, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2503** be passed.

## REPORT OF STANDING COMMITTEE

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

**Request No. 28**, by Representatives Broderick Henderson and Valdenia Winn, congratulating Alayna Hernandez on being a member of Kansas City Kansas Community College Phi Theta Kappa Kansas All-State Academic Team;

**Request No. 29**, by Representatives Broderick Henderson and Valdenia Winn, congratulating Taylor Yoder on being a member of Kansas City, Kansas Community College Phi Theta Kappa Kansas All-State Academic Team;

**Request No. 30**, by Representative Russ Jennings, congratulating the Holcomb High School Football Team in recognition for winning the 2015 4A Division II State Football Championship;

**Request No. 31** by Representative Becky Hutchins, congratulating Charles Scheidegger on his 100<sup>th</sup> birthday;

**Request No. 32**, by Representative Ken Rahjes, congratulating the Phillipsburg High School Football Team in recognition for winning the 2015 2-1A Division State Football Championship;

**Request No. 33**, by Representative Jene Vickrey, congratulating Thomas Dalton in recognition for achievement of Eagle Scout;

**Request No. 34**, by Representative Ponka-We Victors, congratulating Kansas Farm Bureau Women's Leadership Committee for leadership by strengthening agriculture and the lives of Kansans through advocacy, education and service;

**Request No. 35**, by Representative John L.Ewy, congratulating Jared Fellhoelter in recognition for achievement of Eagle Scout;

**Request No. 36**, by Representatives John L.Ewy, Ron Ryckman, Sr. and Kyle Hoffman congratulating Sheldon Carpenter for 42 years of service to The Iroquois Center for Human Development;

**Request No. 37**, by Representative Shannon Francis, congratulating Summer Parsons on winning the 2016 Liberal Pancake Day Race;

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 bill was introduced and read by title:

**HB 2696**, AN ACT concerning law enforcement; relating to university police officers; jurisdiction; amending K.S.A. 2015 Supp. 22-2401a and 76-726 and repealing the existing sections, by Committee on Judiciary.

On motion of Rep. Vickrey, the House recessed until 12:00 p.m.

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### **AFTERNOON SESSION**

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

### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2697**, AN ACT concerning the Kansas general corporation code; relating to public benefit corporations; amending K.S.A. 2015 Supp. 17-7903 and 17-7919 and repealing the existing sections, by Committee on Judiciary.

**HB 2698**, AN ACT concerning school districts; relating to policies against bullying; amending K.S.A. 2015 Supp. 72-6479 and 72-8256 and repealing the existing sections, by Committee on Education.

**HB 2699**, AN ACT concerning asset forfeiture; relating to attorneys litigating forfeiture; attorney fees; amending K.S.A. 2015 Supp. 60-4107 and 60-4117 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2700**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; normal retirement; requiring certification that there is no prearranged agreement of employment with participating employers prior to retirement; providing certain penalties for violations thereof; amending K.S.A. 2015 Supp. 74-4914 and 74-4937 and repealing the existing sections, by Committee on Taxation.

**HB 2701**, AN ACT concerning property taxation; relating to oil and gas leases or properties; determination of value of production, evidence; amending K.S.A. 2015 Supp. 79-331 and repealing the existing section, by Committee on Taxation.

**MESSAGES FROM THE SENATE**

The Senate nonconcurrs in House amendments to **House Substitute for SB 161**, requests a conference and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2387** and has appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as conferees on the part of the Senate.

Announcing passage of **SB 318; Substitute for SB 65**.

Announcing passage of **HB 2365**, as amended by **Senate Substitute for HB 2365**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**Sub SB 65, SB 318**

**REPORTS OF STANDING COMMITTEES**

Committee on **Agriculture and Natural Resources** recommends **HB 2490** be passed.

Committee on **Agriculture and Natural Resources** recommends **HB 2547** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2062** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2062," as follows:

"Substitute for HOUSE BILL NO. 2062

By Committee on Judiciary

"AN ACT concerning the uniform commercial code; relating to the exclusion of consumer transactions governed by federal law; secured transactions; amending K.S.A. 84-4a-108 and K.S.A. 2015 Supp. 84-9-408, 84-9-803, 84-9-805 and 84-9-807 and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2062** was thereupon introduced and read by title.)

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6033, HR 6035, HR 6036** reported correctly enrolled and properly signed on February 12, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 15, 2016.

BECKIE HENDRICKS, JENNY HAUGH, *Journal Clerks*

SUSAN W. KANNARR, *Chief Clerk*.

