

Journal of the House

TWENTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 16, 2016, 11:00 a.m.

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

The roll was called with 120 members present.

Rep. Seiwert was excused on verified illness.

Reps. Helgerson, Houston, Kahrs and Tietze were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious God in heaven,
today as our leaders gather once again
to discuss and make difficult decisions,
remind them often throughout the day that:
their greatest victory is victory over self;
their greatest asset is confidence;
their greatest weight is final responsibility;
their greatest discipline is taking time to think;
their greatest handicap is pride;
their greatest opportunity is today;
their greatest loss is hope;
their greatest mistake is putting self before others;
their greatest prayer is wisdom;
and their greatest joy is adding value to others.
In Christ's Name I pray, Amen.

(adapted from "A Leader's Greatest Things" by John Maxwell)

The Pledge of Allegiance was led by Rep. B. Carpenter.

INTRODUCTION OF GUESTS

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

It is a great pleasure to have members of the Derby Panther football team here today. Their performance in last year's football season was nothing short of remarkable. Last year the Derby Panther Football team won the 6A State Championship. The Derby Panthers went 6-0 against other teams in the Wichita area. The Panthers overall record last season was 13-1. The Panthers averaged over 46 points per game versus an average

of 18 points scored against them. High school sports helps our youth build character and develop them into model citizens later in life. Coach Clark will be remembered by these students for years to come. I would like to recognize some of the students and faculty who helped make the championship victory possible.

Rep. B. Carpenter introduced Principal, Tim Hamblin; Head Coach, Brandon Clark; and players: Damar Simms (Damar has signed with the US Air Force Academy); Brady Rust (Brady is a shrine bowl selection and has signed with Butler County Community College); Ryan Stang (Ryan has accepted an engineering scholarship at WSU) and Trevor Hudson (Trevor has signed with Butler Community College).

The team was presented with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2704, AN ACT concerning the judicial branch; relating to salaries of justices, judges and nonjudicial employees; making and concerning appropriations for the fiscal year ending June 30, 2017; amending K.S.A. 75-3120f and K.S.A. 2015 Supp. 75-3120g, 75-3120h and 75-3120k and repealing the existing sections, by Committee on Appropriations.

HB 2705, AN ACT concerning court fees and funds; amending K.S.A. 2015 Supp. 8-2107, 20-362, 20-3021, 21-6614, 22-2410, 23-2510, 28-170, 28-170a, 28-172a, 28-177, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-729, 60-2001, 60-2008, 60-2203a, 61-2704, 61-4001 and 65-409 and repealing the existing sections; reviving and amending K.S.A. 5-517 and 20-166 and K.S.A. 2013 Supp. 20-1a04, 28-172b, 74-7325, 74-7334 and 75-7021 and repealing the revived sections; also repealing K.S.A. 5-517, as amended by section 5 of chapter 82 of the 2014 Session Laws of Kansas, and 20-166, as amended by section 8 of chapter 82 of the 2014 Session Laws of Kansas; K.S.A. 2013 Supp. 20-1a04, as amended by section 6 of chapter 82 of the 2014 Session Laws of Kansas, 20-367, 21-6614d, 28-172b, as amended by section 28 of chapter 82 of the 2014 Session Laws of Kansas, 38-2312c, 60-2001b, 74-7325, as amended by section 38 of chapter 82 of the 2014 Session Laws of Kansas, 74-7334, as amended by section 39 of chapter 82 of the 2014 Session Laws of Kansas, and 75-7021, as amended by section 42 of chapter 82 of the 2014 Session Laws of Kansas; and K.S.A. 2015 Supp. 20-1a16, 20-1a17, 21-6614f, 28-178 and 28-179, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2703**.

Health and Human Services: **HB 2702**.

COMMUNICATIONS FROM STATE OFFICERS

From Antonio Soave, Secretary of Commerce, in accordance with K.S.A. 12-17, 169(c), 2015 Annual Report for projects funded with special obligation or STAR bonds.

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

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **Senate Substitute for HB 2365** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6038—

By Representatives Barton, Anthimides, Billinger, Bradford, B. Carpenter, W. Carpenter, Corbet, DeGraaf, Dove, Edmonds, Esau, Finch, Garber, Hawkins, Hedke, Highland, Hoffman, Huebert, Hutchins, K. Jones, Kelley, Kiegerl, Macheers, Mason, Mast, Osterman, Pauls, Peck, R. Powell, Scapa, Schroeder, Schwab, C. Smith, Sutton, Weber, C., Whipple and Whitmer

A RESOLUTION urging all Kansans to become educated about human trafficking and slavery.

WHEREAS, Human trafficking is the fastest growing criminal industry in the world, second only to drug trafficking, with an estimated \$150 billion in illegal profits; and

WHEREAS, According to the International Labor Organization, it is estimated that 20.9 million women, men and children are victims of human trafficking, with only .2% of victims identified; and

WHEREAS, Human trafficking and slavery, including sex and labor trafficking, affect women and children the most, comprising an estimated 80% of persons trafficked; and

WHEREAS, In 2000, the United States Congress passed the Trafficking Victims Protection Act, most recently reauthorized in 2013, providing the United States with tools to combat human trafficking at home and abroad; and

WHEREAS, In 2013, the Kansas Legislature enacted a comprehensive anti-human trafficking law, with a focus on criminal prosecution and victim support. The Kansas Legislature has since updated the law in 2014 and 2015; and

WHEREAS, The office of the Kansas Attorney General has focused on providing anti-trafficking training to law enforcement officers throughout the state, and in 2015, provided services to more than 400 human trafficking victims in Kansas; and

WHEREAS, Since 2014, the Kansas Department of Children and Families has worked to prevent human trafficking by providing recommendations for safety, placement and treatment for 80 youth, identified as possible victims of human trafficking; and

WHEREAS, The Kansas Legislature recognizes the considerable moral and economic harm of forced labor and human trafficking to both the State of Kansas and worldwide citizens, and that bringing a greater awareness of this problem will further help the victims of human trafficking; and

WHEREAS, By bringing awareness to forced labor and human trafficking within the State of Kansas, we bring the victims of human trafficking hope and promise of the American dream and for the natural born freedoms we should enjoy as American citizens; and

WHEREAS, This battle is fought on many different fronts. Thus, the Kansas Legislature recognizes that increased public awareness will allow individual Kansans more opportunities to recognize and aid in the fight against this form of slavery: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we urge all Kansans to become educated about human trafficking and slavery and to work toward purging these criminal practices within the State of Kansas and beyond its borders; and

Be it further resolved: That we support increased education, stronger laws and the promotion of justice to reduce the exploitation of all people worldwide.

CONSENT CALENDAR

No objection was made to **HB 2547** appearing on the Consent Calendar for the second day.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Todd in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **SB 247**, **HB 2490**, **HB 2518**, **HB 2454** be passed.

Committee report to **HB 2480** be adopted; also, on motion of Rep. Hibbard, **HB 2480** be amended on page 8, in line 15, by striking ", 47-448"

Also, on motion of Rep. Moxley, **HB 2480** be amended on page 6, in line 28, by striking all after the period; in line 29, by striking all before "After" and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2062** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **Sub HB 2289** be adopted; and the substitute bill be passed.

On motion of Rep. Ward to amend **HB 2456**, Rep. Hawkins requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

Roll call was demanded on the motion of Rep. Ward to amend **HB 2456** on page 16, following line 38, by inserting:

"Sec. 2. K.S.A. 2015 Supp. 65-6230 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "enacting" and inserting "concerning healthcare; relating to"; also in line 1, after "compact" by inserting "; health care compact; repealing K.S.A. 2015 Supp. 65-6230"; following line 1, by inserting:

"WHEREAS, Medicare plays a vital role in providing financial security to older Kansans and those with disabilities; and

WHEREAS, 448,216 Kansans are covered by Medicare; and

WHEREAS, Medicare is paid for by payroll taxes paid by most employees, employers and people who are self-employed; and

WHEREAS, the Health Care Compact creates a direct threat to the health care of every older Kansan; and

WHEREAS, the Health Care Compact presents a real danger that state officials will reduce or eliminate benefits currently covered under Medicare.

Now, therefore:";

On roll call, the vote was: Yeas 33; Nays 86; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Ballard, Bollier, Burroughs, Carlin, Carmichael, Clayton, Curtis, Edmonds, Finney, Frownfelter, Gallagher, Henderson, Henry, Hightberger, Hineman, Kuether, Lusk, Lusker, Moxley, Osterman, Ousley, Rooker, Ruiz, Sawyer, Scott, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Helgerson, Hill, Houston, Kahrs, Seiwert, Tietze.

The motion of Rep. Ward did not prevail; and **HB 2456** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2592** be passed.

Committee on **Education** recommends **HB 2207** be amended on page 1, in line 18, after "books" by inserting "and supplemental materials"; in line 19, after "textbooks" by inserting "and supplemental materials"; in line 20, after "studies" by inserting ", but that do not include social justice remedies"; in line 27, by striking ", but" and inserting "and"; also in line 27, by striking "not"; also in line 27, by striking the second comma; in line 28, by striking the fourth comma and inserting "and"; in line 29, by striking "and other racialized peoples"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2532** be passed.

Committee on **Education** recommends **SB 193**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 193," as follows:

"House Substitute for SENATE BILL NO. 193

By Committee on Education

"AN ACT concerning state educational institutions; relating to degree program transparency.";

And the substitute bill be passed.

(**H Sub for SB 193** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **HB 2369**, **HB 2571**, **HB 2578**, **HB 2599** be passed.

Committee on **Insurance and Financial Institutions** recommends **HB 2134**, be amended by adoption of the amendments recommended by the House committee on Financial Institutions as reported in the Journal of the House on March 24, 2015, and the bill, as printed with amendments by House committee be further amended:

On page 2, in line 1, by striking all before "or";

On page 3, in line 2, by striking "2014" and inserting "2015"; in line 41, by striking "2014" and inserting "2015";

On page 5, in line 20, by striking "18" and inserting "16";

On page 6, in line 12, by striking "2014" and inserting "2015"; in line 14, by striking "2016" and inserting "2017";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 1, in the title, in line 2, by striking "2014" and inserting "2015"; and the bill be passed as amended.

Committee on **Insurance and Financial Institutions** recommends **HB 2453** be passed.

Committee on **Judiciary** recommends **SB 159**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 159," as follows:

"House Substitute for SENATE BILL NO. 159

By Committee on Judiciary

"AN ACT concerning children and families; enacting the host families act; relating to temporary care for children.";

And the substitute bill be passed.

(**H Sub for SB 159** was thereupon introduced and read by title.)

Committee on **Veterans, Military and Homeland Security** recommends **HCR 5024** be adopted.

Committee on **Vision 2020** recommends **HB 2285** be amended on page 1, in line 24, by striking "16" and inserting "14"; in line 29, by striking all after "(C)"; by striking all in line 30; in line 31, by striking "(D)";

On page 2, by striking all in lines 1 and 2; in line 22, by striking "2015" and inserting "2016"; in line 26, by striking "2015" and inserting "2016"; in line 41, by striking "2016" and inserting "2017";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Vision 2020** recommends **HB 2436**, **HB 2546** be passed.

CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub for SB 161** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

RON RYCKMAN
SHARON SCHWARTZ
Conferees on part of House

TY MASTERSON
JIM DENNING
Conferees on part of Senate

On motion of Rep. Ryckman the conference committee report on **H Sub for SB 161** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Ryckman, Schwartz and Henry as second conferees on the part of the House.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Victors to replace Rep. Houston on Committee on Vision 2020 on February 17.

REPORT ON ENROLLED RESOLUTIONS

HR 6037 reported correctly enrolled and properly signed on February 16, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 17, 2016.

BECKIE HENDRICKS, JENNY HAUGH, *Journal Clerks*
SUSAN W. KANNARR, *Chief Clerk*.

