

# Journal of the House

## SEVENTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 1, 2017, 11:00 a.m.

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

The roll was called with 123 members present.

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

Prayer by guest chaplain, the Rev. Will Main, pastor, Haskell Light Campus Ministry, Lawrence, and guest of Rep. Victors:

Dear Father in heaven, from You comes all rule and authority over the nations of the world for the punishment of evil doers and for the praise of those who do well.

Graciously regard your servants, those who make, administer, and judge the laws of this nation, and look in mercy upon all the rulers of the earth. Grant that all who receive the sword as Your servants may bear it according to Your command. Enlighten and defend them, and grant them wisdom and understanding that under their peaceable governance Your people may be guarded and directed in righteousness, quietness, and unity. And Father on this appointed day I pray blessings and peace over us your Native American people, Father grant us the desires of our heart, according to Your will and help us to live lives that are pleasing to you Father. Protect and prolong our lives that we with them may show forth the praise of Your name; through Jesus Christ our Lord.  
Amen

Pledge by Rep. Victors.

### INTRODUCTION OF GUESTS

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

Today, is Native American Legislative day at the capitol. I have the honor to recognize and introduce our Native American Elders in Kansas from all nations. The elders are the keepers of our culture and traditions. I want to thank them for all their

sacrifices they have made for their tribal nations in order for us to be here today. They have shared their wisdom and spiritual guidance with us by teaching us to respect mother earth and to help others. Please join me in recognizing the Native American elders of Kansas.

Rep. Victors presented House certificates to the Kansas Native American elders.

### **INTRODUCTION OF GUESTS**

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

Last week we honored the 2017 Kansas Teacher of the Year, today I would like to honor the 2016 South Central Kansas Special Education Cooperative Teacher of the Year, Gina Hoffman from Coldwater Kansas. In August, she received this award after being selected from more than 100 fellow nominees from around the region. I know what you are thinking, Hoffman, that rings a bell. Yes, we are related, and it's definitely special for me to recognize her this morning. Not only has Gina been my sister-in-law for the last 27 years, she is also my former band teacher.

Gina Johnson began her career in 1981 fresh out of Fort Hays State University as the Coldwater USD 300 Jr./Sr. band instructor, a position she held at Coldwater for 17 years. An excellent teacher, her students always flourished and many times her bands and students received top honors at district, regional, and state contest; During those years, it was cool to be in the band and I have so many wonderful memories of band with Miss Johnson.

In 1990 she married my oldest brother, Roy, and soon after began work to get her Masters in Early Childhood Development from again Fort Hays, which she received in 1997. Incidentally, I graduated from High School in 1990, so I don't know if it was the trauma of dealing with my class all those years or being married to Roy, that prompted the change. All kidding aside, I know it was her desire to help and invest in students earlier in their lives, it has been a great move for Gina and the families and students in Comanche County; this award is the proof. She is now in her 18<sup>th</sup> year of teaching and working with 3-5 year olds with special needs at USD 300 through the Cooperative and just like her years teaching band, her students are excelling; she loves them and they adore her. Gina has been teaching for 35 years and I don't know how many more years she plans to teach, but I do know when retirement comes, her shoes will be very hard to fill.

It is with great honor that I present to Gina Hoffman this certificate from the Kansas House of Representatives and please help me recognize her for her many years of teaching and for being selected as the 2016 South Central Kansas Special Education Cooperative Teacher of the Year.

Rep. Hoffman presented a framed House certificate to Mrs. Hoffman.

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

The following bills were introduced and read by title:

**HB 2235**, AN ACT concerning sales and use taxation; relating to the administration thereof; required notices and reports, by Committee on Taxation.

**HB 2236**, AN ACT concerning motor carriers; relating to drivers of taxis, limousines and for-hire vehicles, required training; amending K.S.A. 2016 Supp. 66-1,109 and 66-1,129 and repealing the existing sections, by Committee on Transportation.

**HB 2237**, AN ACT concerning taxation; relating to income taxation, rates, determination of income, tax credits; motor fuels tax, rates, trip permits, distribution; sales and compensating use tax, food and food ingredients; amending K.S.A. 2016 Supp. 32-1438, 39-7,132, 40-2246, 65-7107, 74-8206, 74-8304, 74-8316, 74-8401, 79-32,110, 79-32,117, 79-32,182b, 79-32,190, 79-32,200, 79-32,201, 79-32,204, 79-32,207, 79-32,210, 79-32,212, 79-32,222, 79-3492b, 79-34,118, 79-34,141, 79-34,142, 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

**HB 2238**, AN ACT concerning sales and compensating use tax; relating to exemptions, farm production machinery and equipment, definition; amending K.S.A. 2016 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2239**, AN ACT concerning the scrap metal theft reduction act; relating to regulation by municipalities; amending K.S.A. 2016 Supp. 50-6,109f and repealing the existing section, by Committee on Judiciary.

**HB 2240**, AN ACT concerning the care and treatment of certain persons; enacting the crisis intervention act; amending K.S.A. 59-2953, 59-2980, 59-29b53 and 59-29b80 and K.S.A. 2016 Supp. 39-2001, 39-2002, 39-2003, 59-2978 and 59-29b78 and repealing the existing sections, by Committee on Judiciary.

**HB 2241**, AN ACT concerning water; relating to the state water plan fund; creating the surface water protection fee; creating the irrigation water use fee, by Committee on Water and Environment.

**HB 2242**, AN ACT concerning education; relating to the financing thereof; instruction and curriculum; creating the classroom-based funding act; amending K.S.A. 2016 Supp. 10-1116a, 12-1770a, 12-1775a, 72-1046b, 72-1398, 72-1414, 72-1923, 72-5333b, 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, 72-6481, 72-6482, 72-6483, 72-6484, 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, 74-4939a, 74-8925, 74-99b43, 79-201x, 79-2001 and 79-2925b and repealing the existing sections, by Committee on K-12 Education Budget.

**HB 2243**, AN ACT concerning schools; authorizing school security officers to use certain types of emergency safety interventions; amending K.S.A. 2016 Supp. 72-89d03 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2244**, AN ACT concerning health and health care; relating to the department for health and environment; establishing the maternal mortality review committee, by Committee on Health and Human Services.

**HB 2245**, AN ACT concerning attorneys; relating to the supreme court nominating commission and judicial district nominating commissions; selection of chairperson and members; attorney licensure and information; applicability of open records act; amending K.S.A. 2016 Supp. 7-127, 20-122, 20-123, 20-130, 20-2904 and 20-2907 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 20-170, 20-171 and 20-2917, by Representatives Highberger and Becker.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Agriculture: **HB 2207, HB 2208, HB 2209.**

Children and Seniors: **HB 2232.**

Corrections and Juvenile Justice: **HB 2222.**

Education: **HB 2212, HB 2213.**

Elections: **HB 2210, HB 2211, HB 2223, HB 2224, HB 2225.**

Federal and State Affairs: **HB 2220.**

Health and Human Services: **HB 2217, HB 2218, HB 2219, HB 2221, HB 2226.**

Insurance: **HB 2233.**

Judiciary: **HB 2214, HB 2215, HB 2216, HB 2234.**

Taxation: **HB 2227, HB 2228, HB 2229, HB 2230, HB 2231.**

**COMMUNICATIONS FROM STATE OFFICERS**

From Frank J. Yeoman, Jr., Chair, Board of Directors, Kansas Guardianship Program; 2016 Annual Report.

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 2098, HB 2132** 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. Williams in the chair.

**COMMITTEE OF THE WHOLE**

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

Recommended that **HB 2002** be passed.

Committee report to **HB 2006** be adopted; also, on motion of Rep. Markley, **HB 2006** be amended, as amended by House Committee, on page 2, in line 13, after the second "the" by inserting "board of county commissioners adopting a resolution dividing the county into the number of districts approved by voters following the"; in line 18, by striking all after the second "the"; in line 19, by striking all before the period and inserting "board of county commissioners adopting such resolution"; in line 23, by striking "vacancy" and inserting "vacancies"; in line 24, by striking "has" and inserting "have"; and the bill be passed as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Health and Human Services** recommends **HB 2044** be amended on page 1, in line 11, after the period, by inserting "Reimbursement under such contracts for any one fiscal year shall not exceed \$1,000,000."; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2067** be amended on page 2, in line 34, after "(i)" by inserting "(1)"; in line 35, after "a" by inserting "state and";

On page 3, following line 1, by inserting:

"(2) The commissioner may conduct, or have a third party conduct, a background check on a person applying for a resident insurance agent license.";

Also on page 3, in line 2, before "Whenever" by inserting:

"(3) ";

Also on page 3, in line 2, after the comma by inserting "a background check, or both,"; in line 3, after the period by inserting:

"(4) ";

Also on page 3, in line 4, after "from" by inserting "a background check,"; and the bill be passed as amended.

Committee on **Water and Environment** recommends **HB 2066, HB 2080** be passed.

Committee on **Water and Environment** recommends **HB 2079** be amended on page 1, by striking all in lines 35 and 36; 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 bill was introduced and read by title:

**HB 2246**, AN ACT concerning agriculture; relating to noxious weeds; amending K.S.A. 2-1314b, 2-1320, 2-1323, 2-1330 and 2-1332 and K.S.A. 2016 Supp. 2-1314, 2-1315, 2-1316, 2-1317, 2-1318, 2-1319, 2-1322 and 2-1331 and repealing the existing sections; also repealing K.S.A. 2-1316a, 2-1325, 2-1326, 2-1328 and 2-1329 and K.S.A. 2016 Supp. 2-1327 and 2-1334, by Committee on Agriculture.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, February 2, 2017.

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

SUSAN W. KANNARR, *Chief Clerk.*

