

# Journal of the House

## THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 10, 2018, 11:00 a.m.

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

The roll was called with 106 members present.

Reps. Finney, Thompson and Weber were excused on verified illness.

Reps. Barker, Blex, Concannon, Crum, Dove, Ellis, Eplee, Hawkins, Henderson, Holscher, Horn, Osterman, Powell and Rafie were excused on legislative business.

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

Prayer by Chaplain Brubaker:

Almighty God,  
For another new day, a fresh new start, we thank You.  
As these leaders work on the vision and purpose  
for which they are here, continue to guide them in  
clarity, connectedness, integrity, strategy and passion.  
Give clarity to their purpose;  
may they be willing to rise above political affiliation  
to work in a spirit of connectedness.  
Help each one to work and speak with integrity.  
Give them a strategy and plan to work on;  
and may their passion to serve and do  
what is best for the greater good  
drive them to wise conclusions.  
This I pray in Your Son's Name,  
Amen.

The Pledge of Allegiance was led by Rep. Huebert.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**HB 2449**, AN ACT concerning the video competition act; relating to broadband service; amending K.S.A. 2017 Supp. 12-2022 and repealing the existing section, by Representative Sloan.

**HB 2450**, AN ACT concerning advanced telecommunications services; relating to collocation of broadband equipment; relating to public right-of-way utility facilities; amending K.S.A. 2017 Supp. 17-1902 and repealing the existing section, by Representative Sloan.

**HB 2451**, AN ACT concerning broadband; enacting the statewide broadband deployment authorization act, by Representative Sloan.

**HB 2452**, AN ACT concerning property; relating to conservation easements; relating to the duration of certain conservation easements; amending K.S.A. 58-3811 and repealing the existing section, by Committee on Water and Environment.

**HB 2453**, AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; immediate intervention program; fees; amending K.S.A. 2017 Supp. 38-2346, 75-52,163, 75-7038 and 75-7044a and repealing the existing sections, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2454**, AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; review hearings; amending K.S.A. 2017 Supp. 38-2343 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2455**, AN ACT concerning the Kansas juvenile justice oversight committee; relating to cost avoidance due to reductions in youth out-of-home placements; amending K.S.A. 2017 Supp. 75-52,161 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2456**, AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; overall case length limits; absconders; amending K.S.A. 2017 Supp. 38-2391 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2457**, AN ACT enacting the asbestos trust claims transparency act; providing for disclosures regarding asbestos trust claims in civil asbestos actions, by Committee on Judiciary.

HOUSE CONCURRENT RESOLUTION No. **HCR 5020**—

By Representative K. Williams

**HCR 5020**— A CONCURRENT RESOLUTION urging Congress to take action on the Remote Transactions Parity Act.

WHEREAS, United States Supreme Court decisions in *Bellas Hess* (1967) and *Quill* (1992) have prohibited states from collecting sales and use taxes from out-of-state retailers that do not have a physical presence in the taxing state; and

WHEREAS, In the *Quill* decision, the Court specifically noted that Congress has the power to regulate interstate commerce, and can pass legislation granting states the ability to tax remote transactions; and

WHEREAS, Online retail sales are growing and are estimated to reach 8.9% of total retail spending in the United States in 2018; and

WHEREAS, A 2014 report from the National Taxpayers Union estimated that between 2015 and 2025 states would lose as much as \$340 billion dollars in sales tax revenue due to their inability to collect sales tax from out-of-state retailers; and

WHEREAS, The total estimated uncollected sales and use tax from all remote sales has risen from \$23 billion annually in 2012, to almost \$26 billion annually in 2015; and

WHEREAS, In 2017, H.R. 2193, otherwise known as the Remote Transactions Parity Act of 2017 was introduced in Congress; and

WHEREAS, H.R. 2193 would allow members of the Streamlined Sales and Use Tax Agreement to require remote sellers that do not qualify for a small remote seller exception to collect and remit sales and use taxes with respect to sales sourced to that member state; and

WHEREAS, In May of 2017, H.R. 2193 was referred by the House Committee on the Judiciary to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law: 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 take action on H.R. 2193 and allow states to collect sales and use taxes from remote sellers; and

*Be it further resolved:* That the Secretary of State shall send an enrolled copy of this resolution to each member of the Kansas congressional delegation and to the President of the United States.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committees as indicated:

Financial Institutions and Pensions: **HB 2448**.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, January 11, 2018.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

