

# Journal of the House

## TWELFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 30, 2019, 11:00 a.m.

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

The roll was called with 121 members present.

Reps. Lewis and Ward were excused on verified illness.

Reps. Arnberger and Kessinger were excused on excused absence by the Speaker.

Prayer by guest chaplain, Father Patrick Rutledge, Rector, Assumption Chapel, St. Marys, and guest of Rep. Averkamp:

Let us pray...

Almighty and everlasting God, who gives all power to men here on earth, we pray that you enlighten and guide the minds of those who rule in your name. Charged with the care of the common good of civil society, may they always put their laws at the service of men whose souls are eternal and whose ultimate good transcends this temporary life. May the people of Kansas be able to call themselves blessed in being represented by those who truly care for their welfare and who, having fulfilled their God-given duty, find themselves at peace and irreprouchable in his sight. Amen.

Our Father, who art in heaven, hallowed be thy name, thy kingdom come, thy will be done on earth as it is in heaven. Give us this day, our daily bread and forgive us our trespasses, as we forgive those who trespass against us, and lead us not into temptation, but deliver us from evil. Amen.

The Pledge of Allegiance was led by Rep. Mastroni.

### INTRODUCTION OF GUESTS

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

Colleagues, it's always meaningful and important when your constituency comes to Topeka to participate in the legislative process.

Today I have the Pawnee County Leadership Committee in attendance. This committee consists of County and City government leaders; hospital administration; school administration; law enforcement; business owners; citizens; and key employees

of Larned State Hospital. The committee will be talking with the individual representatives and testifying to the social services budget committee this afternoon. The committee will be addressing their unique relationship of partnering with the state hospital in an effort to fill employment vacancies and better their community.

On your desk, you will find the "Pawnee County" folder that contains information about the community and Larned State Hospital. As an example of their efforts to promote employment at the hospital I draw your attention to the postcard inside the folder "BE THE ONE." On the back of the postcard is a website, "Larnedcares.com" for individuals who are interested in employment and can communicate directly with the Human Resources office to be assisted with the application process.

Representatives, in the gallery today are members of the Pawnee County Leadership Committee, please give them a warm welcome.

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

The following bills were introduced and read by title:

**HB 2103**, AN ACT concerning children and minors; relating to the revised Kansas code for care of children; placement of a child in a qualified residential treatment program; amending K.S.A. 2018 Supp. 23-2210, 38-2202, 38-2234 and 38-2264 and repealing the existing sections; also repealing K.S.A. 2017 Supp. 38-2202, as amended by section 9 of chapter 107 of the 2018 Session Laws of Kansas, by Committee on Children and Seniors.

**HB 2104**, AN ACT concerning driving under the influence; relating to testing; notice; preliminary screening; amending K.S.A. 2018 Supp. 8-1001, 8-1012 and 75-712h and repealing the existing sections; also repealing K.S.A. 2018 Supp. 8-1025, by Committee on Judiciary.

**HB 2105**, AN ACT concerning business entities; relating to limited liability companies; Kansas revised limited liability company act; business entity standard treatment act; amending K.S.A. 17-76,135 and 17-76,138 and K.S.A. 2018 Supp. 17-7662, 17-7663, 17-7673, 17-7675, 17-7675, as amended by section 16 of this act, 17-7679, 17-7679, as amended by section 18 of this act, 17-7680, 17-7680, as amended by section 20 of this act, 17-7681, 17-7687, 17-7689, 17-7690, 17-7695, 17-7698, 17-76,106, 17-76,112, 17-76,113, 17-76,114, 17-76,116, 17-76,118, 17-76,136, 17-76,136, as amended by section 35 of this act, 17-76,139, 17-76,143, 17-76,145, 17-76,146, 17-7904, 17-7904, as amended by section 42 of this act, 17-7915, 17-7916, 17-7918, 17-7923, 17-7929, 17-7933, 60-304, 84-1-201 and 84-9-102 and repealing the existing sections, by Committee on Judiciary.

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

The following bills were referred to committees as indicated:

Appropriations: **HB 2102**.

Elections: **HB 2090, HB 2091, HB 2092**.

Federal and State Affairs: **HB 2094**.

Financial Institutions and Pensions: **HB 2096, HB 2099, HB 2100, HB 2101**.

Judiciary: **HB 2097, HB 2098**.

Taxation: **HB 2093**.

Transportation: **HB 2095**.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Gartner, **HR 6006**, as follows was introduced and adopted.

HOUSE RESOLUTION No. **HR 6006**—

By Representatives Gartner and Kuether

**HR 6006**—A RESOLUTION honoring Jacob Klemz of Washburn University men's cross country team for earning his second All-American award in cross country and other honors during the 2018-2019 season.

WHEREAS, Washburn University student-athlete Jacob Klemz is an inaugural member of Washburn University men's cross country team. The program was established in the 2016-2017 school year; and

WHEREAS, Klemz competed in the NCAA Division II National Cross Country Championship on December 1, 2018, finishing the 10-kilometer course in 29<sup>th</sup> place, the best in Washburn University's program history; and

WHEREAS, Klemz's performance in the championship earned him his second All-American award in cross country. Klemz claimed his first All-American award in cross country for his performance at the 2017 NCAA Division II National Cross Country Championship; and

WHEREAS, Klemz competed in the NCAA Division II National Cross Country Championship during the 2016-2017 and 2017-2018 seasons, finishing in 58<sup>th</sup> and 32<sup>nd</sup> places, respectively; and

WHEREAS, On September 17, 2018, Klemz was selected as the U.S. Track & Field and Cross Country Coaches Association Division II Men's Athlete of the Week. This is the first time a Washburn University student-athlete has received this prestigious honor; and

WHEREAS, On September 18, 2018, Washburn University men's cross country team appeared in the U.S. Track & Field and Cross Country Coaches Association Central Region rankings for the first time in program history and remained in the poll for five consecutive weeks; and

WHEREAS, On November 3, 2018, Klemz led the Washburn Ichabods to their highest team finish in program history at the Mid-America Intercollegiate Athletics Association (MIAA) Championship. Klemz finished third with an individual time of 25:31.1, the fastest 8-kilometer time in program history, enabling the Washburn Ichabods to finish seventh overall; and

WHEREAS, On November 17, 2018, Klemz received All-Region honors following his performance at the NCAA Central Regional Championship, placing sixth with a time of 30:23.7, beating his own record for the fastest 10-kilometer time in program history; and

WHEREAS, Three times during the 2018-2019 season, Klemz was named MIAA Men's Cross Country Athlete of the Week: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we honor Jacob Klemz of Washburn University men's cross country team for earning his second All-American award in cross country and other honors during the 2018-2019 season. Jacob Klemz exemplifies what dedication, determination, and hard work can accomplish. We applaud him for his many successes during the 2018-2019 cross country season and wish him continued success and happiness in the future; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send six enrolled copies of this resolution to Representative Gartner.

### INTRODUCTION OF GUESTS

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

Today we are recognizing Jacob Klemz for his outstanding achievements as a member of the Washburn University cross country team.

Washburn's cross country team was established prior to the 2016-17 school year and Jacob has participated in the National Cross Country NCAA Division II championships every year. This past December he finished the ten kilometer course in 29th place with a time of 33:12.8 and earning him his second All-American award.

Jacob has also received numerous other awards and commendations over the past three years. He exemplifies what dedication, determination and hard work can accomplish. I would like to introduce the special people that accompanied Jacob today.

Rep. Gartner introduced his guests to members of the House:

Jacob Klemz  
 Kyle Gibson, Assistant Coach  
 Cameron Babb, Head Coach  
 Jacob's Parents – Bill and Jill Klemz  
 Dr. Jerry Farley, President of Washburn University

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Bergquist, **HR 6007**, as follows, was introduced and adopted.

HOUSE RESOLUTION No. **HR 6007**—

By Representatives Bergquist, Bishop, Capps, Carmichael, B. Carpenter, Delperdang, Erickson, Finney, Hawkins, Hoheisel, Huebert, Humphries, Landwehr, Mason, Rhiley, Sawyer and Seiwert

**HR 6007**—A RESOLUTION congratulating and commending Angela Hamilton of Sedgwick County EMS for being named 2018 Paramedic of the Year by the National Association of Emergency Medical Technicians.

WHEREAS, On October 30, 2018, Angela Hamilton was declared recipient of the highly prestigious NAEMT/Nasco Paramedic of the Year Award by the National Association of Emergency Medical Technicians. The announcement was made as part of NAEMT's presentation of its 2018 National EMS Awards of Excellence; and

WHEREAS, Hamilton has worked with Sedgwick County EMS for the past 19 years. She began her career in EMS by serving with the department as a volunteer EMT. She began working full time with the department after earning her associates of applied science degree and her paramedic certification in 2001; and

WHEREAS, During her time with Sedgwick County EMS, Hamilton served in the capacity of team leader, inspiring other EMS crew members to become better clinicians. She also acted in the role of preceptor for paramedic students, demonstrating a commitment to the values of servant leadership that is second to none; and

WHEREAS, As an advocate and supporter of patient care and EMS education, Hamilton champions a "just culture" management philosophy, facilitating coworkers' personal safety while identifying areas for improvement; and

WHEREAS, In October 2017, Hamilton was promoted to her current position of QA education coordinator, with the rank of major, where she continues to foster leadership throughout the department while evincing a steadfast devotion to the EMS profession, her colleagues, and the surrounding community: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we congratulate and commend Angela Hamilton of Sedgwick County EMS for being named 2018 Paramedic of the Year by the National Association of Emergency Medical Technicians. Angela Hamilton exemplifies those qualities of leadership and excellence that we associate with the very best of Kansans. We applaud her tenacity and resolve, and we extend our best wishes for her continued success and happiness; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send two enrolled copies of this resolution to Representative Bergquist.

## INTRODUCTION OF GUESTS

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

I present today House Resolution 6007, congratulating Angela Hamilton of the 91st District in Sedgwick County, as the 2018 NAEMT/Nasco Paramedic of the Year. Body, I would like to invite all of the sponsor representatives and any others in the Sedgwick County delegation, to join me at the front as we honor her.

Angela Hamilton, who is with us today, has been with Sedgwick County EMS in Wichita for 19 years. She began her career as a volunteer EMT and moved to full time in 2001 after earning her Associates of Applied Science Degree and paramedic certification.

As a Team Leader, Angela motivated crew members to become better clinicians, and served as a preceptor for many paramedic students. "There are few providers in our service who demonstrate the values of servant leadership as well as she does," said Col. Paul Misasi, Paramedic and Quality Manager for Sedgwick County EMS.

Angela was nominated by Rosa Spainhour, Director of Kiowa County EMS, and supported by Joseph House, Director of the Kansas Board of EMS, after receiving the Kansas EMS Association 2017 Paramedic of the Year Award. Angela is a patient care advocate and supports EMS education. She embraces a "just culture" management philosophy to facilitate personal safety among co-workers and identify areas for improvement. She seeks opportunities that will challenge her to be a better paramedic and leader.

In October of 2017, Angela was promoted to QA Education Coordinator at Sedgwick County EMS with a rank of Major where she continues to foster leadership throughout the organization. Angela cares deeply about the service her department and team provide to the community, the profession and professionalism of EMS and the people with whom she works.

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 2106**, AN ACT concerning education; relating to the base aid for student excellence under the Kansas school equity and enhancement act; making and concerning appropriations for the fiscal years ending June 30, 2020, and June 30, 2021, for the department of education; amending K.S.A. 72-5132 and repealing the existing section, by Committee on K-12 Education Budget.

**HB 2107**, AN ACT concerning health insurance; relating to insurance and state medical assistance program coverage for contraceptives; amending K.S.A. 2018 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2108**, AN ACT concerning education; relating to the Kansas school equity and enhancement act; authorizing expenditures from the at-risk education fund; amending K.S.A. 72-5153 and 72-5193 and repealing the existing sections, by Committee on K-12 Education Budget.

**HB 2109**, AN ACT concerning utilities; relating to electric transmission lines; definition of transmission line; state corporation commission, permit for siting of electric transmission lines; amending K.S.A. 66-1,177 and 66-1,178 and repealing the existing sections, by Committee on Energy, Utilities and Telecommunications.

**HB 2110**, AN ACT concerning consumer protection; relating to the Kansas no-call act; requirements for communications made using a text message; restricting use of automatic dialing-announcing devices; prohibiting certain conveyances of telephone numbers; transmission of inaccurate caller-ID information; amending K.S.A. 2018 Supp. 50-670 and repealing the existing section, by Representatives Rhiley, Highberger, Amyx, Capps, Carlin, Carmichael, French, Hoheisel, Howard, Lynn, Ohaebosim, Ousley, Owens, Pannbacker, Probst, Ruiz, L., Waggoner, Warfield and Xu.

**HB 2111**, AN ACT concerning firearms; relating to background checks for certain sales of firearms, by Committee on Federal and State Affairs.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Thursday, January 31, 2019.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

