

# Journal of the House

FORTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 18, 2020, 9:00 a.m.

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

The roll was called with 117 members present.

Reps. Kuether and Winn were excused on verified illness.

Reps. Bishop, Carlin, Donohoe, Holscher, Ousley and L. Ruiz were excused on excused absence by the Speaker.

Present later: Rep. Donohoe.

Prayer by guest chaplain, Rev. Rob Self, Pastor, Lakeview Church of the Nazarene, Topeka:

Sovereign Lord,  
We beseech thee, to lead us as a people  
submissive to Your will, and purposes.  
Guide the decisions made this day  
that govern this land to further Your plans.  
May this day the Coronavirus  
be eradicated from this land;  
and from those around the world  
who are vulnerable to this illness.  
May Your grace and mercy be upon us,  
and keep us healthy, O Lord!  
Amen.

The Pledge of Allegiance was led by Rep. Curtis.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 375**.

Commerce, Labor and Economic Development: **SB 474**.

Elections: **SB 454**.

Federal and State Affairs: **SB 417, SB 432, SB 433**.

Health and Human Services: **SB 491**.

Local Government: **SB 406**.

Taxation: **SB 309, SB 322**.

**MESSAGE FROM THE GOVERNOR**

March 17, 2020

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 20-07 for your information.

**EXECUTIVE ORDER NO. 20-07**

Temporarily closing K-12 schools to slow the spread of COVID-19

LAURA KELLY  
*Governor*

The above Executive Order is on file and open for inspection in the office of the Chief Clerk.

**MESSAGES FROM THE SENATE**

The Senate concurs in House amendments to **SB 27**.

The Senate concurs in House amendments to **SB 102**.

The Senate concurs in House amendments to **SB 142**.

Announcing passage of **HB 2510**, as amended, **HB 2702**, as amended.

Announcing passage of **HB 2595**.

The Senate announced the appointment of Senators McGinn, Billinger, and Hawk to replace Senators Baumgardner, Alley, and Hawk as conferees on **HB 2168**.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Humphries, **HR 6041**, by Reps. Humphries, Alcala, Amyx, Arnberger, Awerkamp, Baker, Ballard, Barker, Benson, Bergquist, Bishop, Blex, Burris, Burroughs, Capps, Carlin, Carlson, Carmichael, Carpenter, Carpenter, Claey's, Clark, Clayton, Collins, Concannon, Corbet, Cox, Croft, Curtis, Delperdang, Dierks, Dietrich, Donohoe, Dove, Ellis, Eplee, Erickson, Esau, Finch, Finney, Francis, French, Frownfelter, Garber, Gartner, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hineman, Hodge, Hoffman, Hoheisel, Holscher, Horn, Houser, Howard, Huebert, Jacobs, Jennings, Johnson, Karleskint, Kelly, Kessinger, Kuether, Landwehr, Long, Lusk, Lynn, Mason, Mastroni, Moore, Murnan, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Pannbacker, Parker, Patton, Phillips, Pittman, Probst, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, Ruiz, Ryckman, Samsel, Sawyer, Schreiber, Seiwert, Smith, Smith, Stogsdill, Straub, Sutton, Tarwater, Thimesch, Thomas, Thompson, Toplikar, Vickrey, Victors, Waggoner, Ward, Warfield, Warren, Wasinger, Waymaster, Weigel, Wheeler, Williams, Winn, Wolfe Moore, Woodard, Xu and Yeager, as follows, was introduced and adopted:

**HR 6041**—A RESOLUTION recognizing Kansas' celebration of the 100th anniversary of the ratification of the 19th Amendment to the Constitution of the United States of America.

WHEREAS, August 26, 2020, signifies the 100<sup>th</sup> anniversary of the ratification of the 19<sup>th</sup> Amendment to the Constitution of the United States of America; and

WHEREAS, The ratification of this amendment not only allowed women the right to vote, but it also allowed women to achieve successes in every industry; and

WHEREAS, Women play a critical leadership role in our country, and there are numerous former, current and future women leaders from the state of Kansas who should be recognized; and

WHEREAS, The 100<sup>th</sup> of the 19<sup>th</sup> Foundation will host a statewide, three-day event on August 13, 14 and 15, 2020, to foster unity, provide training and promote women's leadership throughout the state of Kansas: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we recognize August 13 through 15, 2020, as Kansas' celebration of the 100<sup>th</sup> anniversary of the ratification of the 19<sup>th</sup> Amendment to the Constitution of the United States of America and call upon the people of Kansas to unite as we support the success of women and recognize Kansas women in leadership roles with the appropriate activities, events and programs; and

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

#### **PERSONAL PRIVILEGE**

Rep. Humphries thanked her co-sponsors and recognized the 100<sup>th</sup> anniversary of the ratification of the 19<sup>th</sup> Amendment to the Constitution of the United States of America.

On motion of Rep. Hawkins, the House recessed until 10:00 a.m.

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#### LATE MORNING SESSION

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

#### **SPECIAL ORDER OF BUSINESS**

The time now having arrived for the Special Order of Business, **Executive Reorganization Order No. 44**, an order renaming the Kansas department for children and families the Kansas department of human services; abolishing the Kansas department for aging and disability services and transferring powers, duties and functions to the Kansas department of human services; and transferring the powers, duties and functions of the department of corrections regarding the juvenile services program and certain juvenile facilities and institutions to the Kansas department of human services, and **HR 6032**, Disapproving **Executive Reorganization Order No. 44** that relates to the newly named Kansas department of human services, were considered on motion of Rep. W. Carpenter to adopt **HR 6032**.

**HR 6032**, A RESOLUTION disapproving Executive Reorganization Order No. 44, renaming the Kansas department for children and families the Kansas department of human services; abolishing the Kansas department for aging and disability services and transferring powers, duties and functions to the Kansas department of human services; and transferring the powers, duties and functions of the department of corrections regarding the juvenile services program and certain juvenile facilities and institutions to the Kansas department of human services, was considered on final action.

On roll call, the vote was: Yeas 82; Nays 35; Present but not voting: 0; Absent or not voting: 8.

Yeas: Arnberger, Awerkamp, Baker, Barker, Bergquist, Blex, Burris, Capps, Carlson, B. Carpenter, W. Carpenter, Claeys, Clark, Collins, Concannon, Corbet, Cox, Croft, Delperdang, Dierks, Dietrich, Dove, Ellis, Eplee, Erickson, Esau, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hineman, Hoffman, Hoheisel, Houser, Howard, Huebert, Humphries, Jacobs, Jennings, Johnson, Karleskint, Kelly, Kessinger, Landwehr, Long, Lynn, Mason, Mastroni, Newland, Orr, Owens, Pannbacker, F. Patton, Phillips, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Schreiber, Seiwert, Smith, A., Smith, E., Straub, Sutton, Tarwater, Thimesch, Thomas, Thompson, Toplikar, Vickrey, Waggoner, Warren, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcala, Amyx, Ballard, Benson, Burroughs, Carmichael, Clayton, Curtis, Finney, Frownfelter, Gartner, Helgerson, Henderson, Highberger, Hodge, Horn, Lusk, Moore, Murnan, Neighbor, Ohaebosim, Parker, Pittman, Probst, Ruiz, S., Sawyer, Stogsdill, Victors, Ward, Warfield, Weigel, Wolfe Moore, Woodard, Xu, Yeager.

Present but not voting: None.

Absent or not voting: Bishop, Carlin, Donohoe, Holscher, Kuether, Ousley, Ruiz, L., Winn.

The resolution was adopted.

#### EXPLANATION OF VOTE

MR SPEAKER: I vote No on **HR 6032**. At a time of crisis, this is not a good time to stop a reorganization that is designed to streamline the system and improve the delivery of needed services. — TOM SAWYER, EILEEN HORN, STEPHANIE YEAGER, GAIL FINNEY, JOHN ALCALA, DAVID BENSON, MIKE AMYX, JASON PROBST, JOHN CARMICHAEL, MONICA MURNAN, JERRY STOGSDILL, STEPHANIE CLAYTON, BRANDON WOODARD, RUI XU, SUSAN RUIZ, VIRGIL WEIGEL, FRED A WARFIELD, JIM GARTNER, CINDY NEIGHBOR, NANCY LUSK, JEFF PITTMAN, TOM BURROUGHS, BRETT PARKER, TIM HODGE, BRODERICK HENDERSON, BARBARA BALLARD

The time now having arrived for the Special Order of Business, **Executive Reorganization Order No. 46**, establishing the Kansas energy office and transferring the powers, duties and functions of the energy division of the state corporation commission as described in K.S.A. 74-616(a) through (d), 74-617, 74-622, 75-37,125 and 75-37,129 to the Kansas energy office, a resolution disapproving **Executive Reorganization Order No. 46** that establishes the Kansas energy office, were considered on motion of Rep. Delperdang to adopt **HR 6031**.

**HR 6031**, A RESOLUTION disapproving Executive Reorganization Order No. 46, establishing the Kansas energy office and transferring the powers, duties and functions of the energy division of the state corporation commission as described in K.S.A. 74-616(a) through (d), 74-617, 74-622, 75-37,125 and 75-37,129 to the Kansas energy office, was considered on final action.

On roll call, the vote was: Yeas 74; Nays 44; Present but not voting: 0; Absent or not voting: 7.

Yeas: Arnberger, Awerkamp, Baker, Barker, Bergquist, Blex, Burris, Capps, Carlson, B. Carpenter, W. Carpenter, Claeys, Clark, Collins, Concannon, Corbet, Croft,

Delperdang, Dierks, Donohoe, Dove, Ellis, Erickson, Esau, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Huebert, Humphries, Jacobs, Jennings, Johnson, Kelly, Landwehr, Lynn, Mason, Mastroni, Newland, Orr, Owens, Pannbacker, F. Patton, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Schreiber, Seiwert, Smith, A., Smith, E., Straub, Sutton, Tarwater, Thimesch, Thomas, Thompson, Toplikar, Vickrey, Waggoner, Warren, Wasinger, Waymaster, K. Williams.

Nays: Alcala, Amyx, Ballard, Benson, Burroughs, Carmichael, Clayton, Cox, Curtis, Dietrich, Eplee, Finney, Frownfelter, Gartner, Helgerson, Henderson, Highberger, Hineman, Hodge, Horn, Karleskint, Kessinger, Long, Lusk, Moore, Murnan, Neighbor, Ohaebosim, Parker, Phillips, Pittman, Probst, Ruiz, S., Sawyer, Stogsdill, Victors, Ward, Warfield, Weigel, Wheeler, Wolfe Moore, Woodard, Xu, Yeager.

Present but not voting: None.

Absent or not voting: Bishop, Carlin, Holscher, Kuether, Ousley, Ruiz, L., Winn.

The resolution was adopted.

#### EXPLANATION OF VOTE

MR SPEAKER: I vote No on **HR 6031**. In a time of great anxiety for our state, where a global pandemic has fueled uncertainty for parents across the state about paying for the most basic necessities for their families, our job as legislators is to help families keep the lights on. This was a vote to help lower utility rates. It was a vote to help unlock thousands of jobs in our energy industry. It was a vote to make sure our state and our workforce are prepared for the state's energy needs for decades to come. We are deeply disappointed in the outcome of today's vote.— TOM SAWYER, EILEEN HORN, MIKE AMYX, JASON PROBST, JOHN CARMICHAEL, MONICA MURNAN, JERRY STOGSDILL, STEPHANIE CLAYTON, BRANDON WOODARD, RUI XU, SUSAN RUIZ, FRED A WARFIELD, JIM GATNER, CINDY NEIGHBOR, JEFF PITTMAN, STAN FROWN FELTER, BARBARA BALLARD, DENNIS “BOOG” HIGHBERGER, PONKA WE-VICTORS, BRODERICK HENDERSON, JOHN ALCALA, BRETT PARKER, NANCY LUSK, TIM HODGE, STEPHANIE YEAGER, DAVID BENSON

#### MESSAGES FROM THE SENATE

Announcing passage of **SB 346**, **SB 423**, and **Substitute for SB 386**.

#### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

**SB 346**, **Sub SB 386**, **SB 423**.

#### REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2642** be amended by substituting with a new bill to be designated as "Substitute for HOUSE BILL NO. 2642," as follows:

"Substitute for HOUSE BILL NO. 2642

By Committee on Commerce, Labor and Economic Development

"AN ACT concerning employment security law; relating to lessor employment units

and lessee clients; restrictions on leasing certain employees; amending K.S.A. 44-758 and repealing the existing section."; and the substitute bill be passed.

(**Sub HB 2642** was thereupon introduced and read by title.)

#### REPORT OF STANDING COMMITTEE

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

**Request No. 72**, by Representative Megan Lynn, congratulating Abby Martin, Pre-teen Representative, 2020 Kansas Miss Amazing.

**Request No. 73**, by Representative Megan Lynn, congratulating Journey Sanders, Jr Teen Representative, 2020 Kansas Miss Amazing.

**Request No. 74**, by Representative Megan Lynn, congratulating Kirstianna Guerrero, Teen Representative, 2020 Kansas Miss Amazing.

**Request No. 75**, by Representative Megan Lynn, congratulating Megan Mesias, Jr. Miss Representative, 2020 Kansas Miss Amazing.

**Request No. 76**, by Representative Megan Lynn, congratulating Tiara Hensley, Sr. Miss Representative, 2020 Kansas Miss Amazing.

**Request No. 77**, by Representative Megan Lynn, congratulating Michelle Roberts, State Director, 2020 Kansas Miss Amazing.

**Request No. 78**, by Representative Megan Lynn, congratulating Sarah Putman, Miss Representative, 2020 Kansas Miss Amazing.

**Request No. 79**, by Representative's Broderick Henderson and Valdenia C. Winn, congratulating Wanda Dyson on her retirement June 1, 2020 for 31 yrs of service with USD 500 Food Service Department at Wyandotte High School.

**Request No. 80**, by Representative Barbara Wasinger, congratulating Jeffrey Thomas Heimann on achieving rank of Eagle Scout Troop 101.

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. Hawkins, the committee report was adopted.

On motion of Rep. Hawkins, the House recessed until 2:00 p.m.

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#### EARLY AFTERNOON SESSION

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

#### MESSAGES FROM THE SENATE

Announcing adoption of **HCR 5025**, as amended.

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Finch, the House nonconcurrent in Senate amendments to **HCR 5025**, and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Finch, Mason and Sawyer as conferees on the part of the House.

On motion of Rep. Hawkins, the House recessed until the sound of the gavel.

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LATE AFTERNOON SESSION

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

**MESSAGES FROM THE SENATE**

The Senate accedes to the request of the House for a conference on **HCR 5025** and has appointed Senators Wilborn, Rucker and Hensley as conferees on the part of the Senate.

On motion of Rep. Hawkins, the House recessed until 8:30 p.m.

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EVENING SESSION

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

On motion of Rep. Mason, the House adjourned until 9:00 a.m., Thursday, March 19, 2020.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

