

Journal of the House

THIRTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 24, 2015, 11:00 a.m.

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

The roll was called with 119 members present.

Rep. Pauls was excused on verified illness.

Rep. Seiwert was excused on legislative business.

Reps. Dannebohm, Kelley, Sawyer and Schwartz were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Dr. Peter A. Luckey, senior pastor, Plymouth Congregational Church, Lawrence, and guest of Rep. Wilson:

O Gracious God, Spirit of all that is Holy and good, as sunlight streams into these chambers so may your spirit shine into our hearts.

May your Light settle upon us, leading us, guiding us.

You place us in this space and time, this moment in history, to govern with fairness, mindful of how You have placed into our hands the well being of all the people of this great state of Kansas.

Therefore, Grant us the gift of wisdom, that we may discern what is good and noble and just.

May we be mindful of all the men and women who have come before us, of every race and background. Those who have tilled the soil, who made the arduous journey to the frontier, and the native peoples who have called this home for thousands of years. Remind us that their labor and sacrifice made possible the freedom and prosperity we experience today.

Even so, Dear God, we recognize how far we have yet to travel on the road that leads to dignity and justice for all.

Therefore, Along with a discerning mind, grant us the gift of a compassionate heart.

We pray this morning for each and every member of this governing body. We are mindful of the fact that every legislator, regardless of party affiliation, has family and loved ones that we entrust to your care.

For everyone this morning whose heart is weighed down by worry, whether it be the health of a loved one, or grief in their family, or anxiety about the future, the concern of a child or grandchild, may you grant your abiding peace, your peace which goes beyond all human understanding, to all our hearts.

Finally, grant us to the gift of courage. Give us the fortitude and perseverance and stamina to do what we have been sent here to do.

We pray this, as people of grateful hearts, in the name of the God who is above all gods. Amen.

The Pledge of Allegiance was led by Rep. Wilson.

INTRODUCTION OF GUESTS

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

Throughout our school years, most of us have had teachers that we will never forget, those who will always continue to teach us and have instilled principles that we carry with us today. However occasionally, we are blessed with an educator who was compelled to not only teach us in the classroom, but also to develop our leadership skills and guide us as a devoted advisor in student government. That is why today I want to recognize that educator who was so instrumental in my own personal leadership development, Melinda Cross, and the honor that she recently received.

While at Russell High School, I had the privilege of serving on the Student Council under Mrs. Cross' leadership as a board member and as Vice President my junior year. I also served with her on a state level when I was selected as a supervisor for the Kansas High School Athletics Association's Summer Student Council Leadership Workshop, where Melinda also served as a senior counselor for 20 years now.

Mrs. Cross directed the Student Council for ten years at Russell High School before becoming a foreign language teacher and Student Council Advisor at Hays High School for the last fifteen years. Amber Klaus, the Hays High School's Student Council President says, "Mrs. Cross is a very caring person who takes an interest in our daily concerns. She is passionate about leadership and what her students gain from it."

Martin Straub, principal of Hays High, states, "She is a detailed-oriented person who knows what needs to be done, identifies necessary resources, organizes it and sees the happening through to a successful completion."

Melinda has always exhibited care for her students and sets a pinnacle for leadership. From her own words, "my work with my student council has been a true gift and highlight of my career in education."

It is my pleasure, as a former student, student council leader, and as a close friend, to recognize the 2014-2015 Dr. Earl Reum Kansas Advisor of the Year, Melinda Cross.

Rep. Waymaster presented a framed House certificate to Mrs. Cross.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2391, AN ACT concerning state employees; relating to classified and unclassified service; longevity bonus payments; leave sharing program; amending K.S.A. 75-5549 and K.S.A. 2014 Supp. 75-2935 and 75-5541 and repealing the existing sections, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **SB 52**.

Federal and State Affairs: **SB 95**.

Financial Institutions: **SB 55**.

Transportation: **SB 72**.

MESSAGE FROM THE GOVERNOR

February 23, 2015

Message to the Kansas House of Representatives:

Enclosed herewith is Executive Order No. 15-03 for your information.

EXECUTIVE ORDER NO. 15-03
Creating the Social Services Policy Council

SAM BROWNBACK
Governor

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

COMMUNICATIONS FROM STATE OFFICERS

From Amy Gilbert, Legislative Coordinator, Kansas Corporation Commission, the 2015 Retail Rate Impact 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 2353** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2103** 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. Macheers in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2256, HB 2260, HB 2258** be passed.

On motion of Rep. Osterman, **HB 2154** be amended on page 1, in line 15, by striking "a form DD 214 of the veteran" and inserting "proof of such veteran's military service and honorable discharge or general discharge under honorable conditions"; and the bill be passed as amended.

Committee report to **HB 2109** be adopted; and the bill be passed as amended.

Committee report to **HB 2259** be adopted; and the bill be passed as amended.

Committee report to **HB 2216** be adopted; and the bill be passed as amended.

Committee report to **HB 2096** be adopted; and the bill be passed as amended.

Committee report to **HB 2254** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **HB 2149** be passed.

Committee on **Health and Human Services** recommends **HB 2225** be amended on page 2, following line 21, by inserting:

"(c) At the top of the first page of the medical retainer agreement, the language shall prominently state in writing, in boldface type and in substantially the following form with all words capitalized:

NOTICE: THIS MEDICAL RETAINER AGREEMENT DOES NOT CONSTITUTE INSURANCE, IS NOT A MEDICAL PLAN THAT PROVIDES HEALTH INSURANCE COVERAGE FOR PURPOSES OF THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT AND COVERS ONLY LIMITED, ROUTINE HEALTH CARE SERVICES AS DESIGNATED IN THIS AGREEMENT.

This notice shall be followed by a short, parallel line which shall be initialed by the patient or the patient's legal representative to indicate the patient or patient's legal representative has read the notice statement."; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2115** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2115," as follows:

"Substitute for HOUSE BILL NO. 2115

By Committee on Judiciary

"AN ACT concerning crimes, punishment and criminal procedure; relating to criminal history classification; aggravated battery, driving under the influence; amending K.S.A. 2014 Supp. 21-6811 and repealing the existing section."; and the substitute bill be passed.

(**Sub HB 2115** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2159** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2159," as follows:

"Substitute for HOUSE BILL NO. 2159

By Committee on Judiciary

"AN ACT concerning driving; relating to convictions and diversions; expungement of driving under the influence and other driving offenses; amending K.S.A. 2014 Supp. 12-4516 and 21-6614 and repealing the existing sections; also repealing K.S.A. 2014

Supp. 12-4516b and 21-6614e."; and the substitute bill be passed.
(**Sub HB 2159** was thereupon introduced and read by title.)

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was thereupon introduced and read by title:

HB 2392, AN ACT concerning income taxation; relating to certain modifications of Kansas adjusted gross income relative to passive income; amending K.S.A. 2014 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2100** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2054**, **HB 2073**, **HB 2112** from Committee on Judiciary and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2237** from Committee on Local Government and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2381** from Committee on Children and Seniors and referral to Committee on Commerce, Labor and Economic Development.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Lunn to replace Rep. Kelley on Committee on Energy and Environment on February 25. Rep. Kelley will resume her membership on February 26.

Also, Rep. Ruiz is appointed to replace Rep. Sawyer on Committee on Taxation on February 24, for one day only.

Also, Rep. Curtis is appointed to replace Rep. Frownfelter on Committee on Financial Institutions on February 24, for one day only.

REPORT ON ENROLLED RESOLUTIONS

HCR 5002 reported correctly enrolled and properly signed on February 24, 2015.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Wednesday, February 25, 2015.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

