

Journal of the House

EIGHTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 10, 2014, 11:00 a.m.

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

The roll was called with 118 members present.

Reps. Kuether, Peterson and Phillips were excused on verified illness.

Rep. Thimesch was excused on legislative business.

Reps. Huebert and Winn were excused on excused absence by the Speaker.

Prayer by the Rev. Dr. Bradley K. Walker, pastor, First Presbyterian Church, Topeka:

O Lord, you are worshiped in many ways, in many languages, in many names, and we know that there are others who wonder about the existence of a God beyond ourselves. For all the ways in which the members of this body approach the life of the spirit, we pray for them this day.

In the deliberations and decisions of this House of Representatives we pray that they would be guided by the greatest of human virtues. We are all aware that the temptations and influence of wealth and power surround these representatives, so we pray that in the midst of those forces they would govern wisely for the benefit of all; from the powerful to the powerless, for both rich and poor alike, for those who have access to the centers of influence and for those who are left outside.

For religious and non-religious alike, humanity has exalted the virtuous life as the highest of ideals, and love in its many forms is the greatest virtue of all. May this body seek to embrace this great human virtue as the light that guides their way through this day's work, believing that love for all people, especially the least of those among us, will ultimately prove to be in the best interest of all, bringing forth the peace and justice that follows the light of love in our hearts and in our world.

May these legislators discover new ways to integrate the power of love into their important work this day.

We pray this today, Amen.

The Pledge of Allegiance was led by Rep. Highland.

INTRODUCTION OF GUESTS

Rep. Johnson introduced Anna Hand, Ellsworth, who was crowned Miss Czech Slovak U.S. 2013-2014.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2593, AN ACT concerning property taxation; relating to mineral interests, recordation; amending K.S.A. 79-420 and repealing the existing section, by Committee on Taxation.

HB 2594, AN ACT concerning elections; relating to residence requirements for candidates; amending K.S.A. 14-205, 14-1208, 19-303, 25-305, 25-311, 25-1436, 25-2009 and 71-1407 and K.S.A. 2013 Supp. 25-205, 25-208a, 25-304, 25-2020, 25-2110, 25-2110a and 71-1415 and repealing the existing sections, by Representative Edwards.

HB 2595, AN ACT naming the state marine fossils; the tylosaurus and the pteranodon, by Committee on Vision 2020.

HB 2596, AN ACT concerning state officers and employees; relating to furloughs or reduction in compensation; the Kansas public employees retirement system and systems thereunder, computation of benefits; amending K.S.A. 74-49,115 and repealing the existing section, by Committee on Pensions and Benefits.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2582**.

Calendar and Printing: **HB 2579**.

Children and Seniors: **HB 2577**.

Commerce, Labor and Economic Development: **HB 2576**.

Corrections and Juvenile Justice: **HB 2588**.

Elections: **HB 2592**.

Federal and State Affairs: **HB 2578**.

General Government Budget: **HB 2591**.

Health and Human Services: **HB 2585**.

Insurance: **HB 2587**.

Judiciary: **HB 2583**, **HB 2584**, **HB 2586**.

Pensions and Benefits: **HB 2589**.

Taxation: **HB 2574**, **HB 2575**, **HB 2590**.

Transportation and Public Safety Budget: **HB 2573**.

Veterans, Military and Homeland Security: **HB 2580**, **HB 2581**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2514, AN ACT concerning insolvent insurance companies; pertaining to certain exemptions for the federal home loan bank; amending K.S.A. 40-3609, 40-3619, 40-3625, 40-3629, 40-3630 and 40-3631 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Boldra, Bollier, Bradford,

Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carmichael, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, E. Davis, P. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Estes, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kinzer, Kleebl, Lane, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Huebert, Kuether, Peterson, Phillips, Thimesch, Winn.

The bill passed.

HB 2516, AN ACT concerning health care provider liability insurance; relating to mutual insurance companies organized to provide health care provider liability insurance; health care provider insurance availability act; amending K.S.A. 40-12a02, 40-12a06, 40-12a09, 40-3402, 40-3403a, 40-3403b, 40-3407, 40-3408, 40-3411, 40-3412, 40-3413, 40-3416, 40-3419 and 40-3422 and K.S.A. 2013 Supp. 40-3401, 40-3403, 40-3404, 40-3414 and 40-3421 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carmichael, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, E. Davis, P. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Estes, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kinzer, Kleebl, Lane, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Huebert, Kuether, Peterson, Phillips, Thimesch, Winn.

The bill passed, as amended.

Sub HB 2223, AN ACT concerning alcoholic beverages; relating to homemade fermented beverages; amending K.S.A. 2012 Supp. 41-102 and 41-104 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 7; Present but not voting: 0; Absent or not

voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carmichael, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, E. Davis, P. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Hutton, Jennings, Johnson, Jones, Kelley, Kinzer, Kleeb, Lane, Lunn, Lusk, Lusker, Macheers, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Perry, Petty, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Wolfe Moore.

Nays: Edwards, Frownfelter, Kahrs, Kiegerl, Mast, Pauls, Peck.

Present but not voting: None.

Absent or not voting: Huebert, Kuether, Peterson, Phillips, Thimesch, Winn.

The substitute bill passed.

HB 2420, AN ACT concerning school crossing guards; amending K.S.A. 2013 Supp. 8-15,104 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carmichael, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, E. Davis, P. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Estes, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kiegerl, Kinzer, Kleeb, Lane, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Huebert, Kuether, Peterson, Phillips, Thimesch, Winn.

The bill 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 bills were introduced and read by title:

HB 2597, AN ACT concerning solid waste; relating to municipal collection of recyclables; amending K.S.A. 2013 Supp. 12-2036 and repealing the existing section,

by Committee on Appropriations.

HB 2598, AN ACT concerning alcoholic beverages; dealing with microbreweries; amending K.S.A. 41-708 and K.S.A. 2013 Supp. 41-308b and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2599, AN ACT authorizing the secretary of state to grant an easement to the unified government of Wyandotte county, Kansas, by Committee on Federal and State Affairs.

HB 2600, AN ACT concerning administrative procedures; relating to service of certain orders or notices; amending K.S.A. 2013 Supp. 77-511 and 77-518 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2601, AN ACT concerning veterans; relating to the Kansas commission on veterans affairs; authorizing the executive director to oversee the Kansas soldiers' home and Kansas veterans' home; amending K.S.A. 76-1904, 76-1927, 76-1928, 76-1929, 76-1951 and 76-1955 and K.S.A. 2013 Supp. 73-1209 and 73-1210a and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

HB 2602, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; increasing the percentage of unclassified employees allowed to be employed by the system; amending K.S.A. 2013 Supp. 74-4908 and repealing the existing section, by Committee on Pensions and Benefits.

HB 2603, AN ACT providing for a program of charity health care administered by the secretary of health and environment and providing for the powers, duties and functions thereof, by Committee on Appropriations.

HB 2604, AN ACT concerning domestic relations; relating to dissolution of marriage, division of property, spousal support; family counseling; amending K.S.A. 2013 Supp. 23-2106, 23-2701, 23-2702, 23-2707, 23-2709, 23-2711, 23-2802, 23-2903, 23-2904, 23-2905 and 23-3510 and repealing the existing sections; also repealing K.S.A. 2013 Supp. 23-2710 and 23-2715, by Committee on Judiciary.

HB 2605, AN ACT enacting the successor corporation asbestos-related liability fairness act, by Committee on Judiciary.

HB 2606, AN ACT concerning schools; enacting the student data accessibility, transparency and accountability act, by Committee on Education.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **6048** –

By Representative Schwartz

A RESOLUTION congratulating and recognizing the Landoll Corporation's 50th Anniversary and its receiving of the Ad Astra Award from the Kansas Chamber of Commerce.

WHEREAS, The Kansas Chamber of Commerce stands for free enterprise and continual improvement of our great state's economic climate for the benefit of every business and citizen and represents small, medium and large employers all across Kansas; and

WHEREAS, The Kansas Chamber of Commerce presents the Ad Astra Award to one business each year that exemplifies both business and civic excellence within the state

and recognizes a Kansas business for its unique contribution to the economic health and welfare of our state; and

WHEREAS, The Landoll Corporation, headquartered in Marysville, Kansas, has grown from a small welding, radiator and blacksmith shop to a global manufacturer of quality products and services for the agricultural, material handling, OEM/Government and transportation industries; and

WHEREAS, The Landoll Corporation employs approximately 1,000 dedicated employees; and

WHEREAS, The Landoll Corporation is a leader in innovative design, and attributes its success to its guiding principles of: Diversification, vertical integration, quality employees, community service, quality products, safety and total customer satisfaction; and

WHEREAS, The Landoll Corporation exemplifies business excellence in Kansas with an entrepreneurial spirit of "can do," which has led to substantial growth in the business; and

WHEREAS, The Landoll Corporation attributes some of its growth from the state and local tax policy which allowed the company to invest in personnel, property, technology and modern equipment and which supported the acquisition and relocation of jobs to Kansas of the following product lines: Bendi forklifts from England, Drexel Industries forklifts from Pennsylvania and Brillion farm equipment from Wisconsin. The Landoll Corporation was also able to acquire ICON Industries in Beloit, Kansas; and

WHEREAS, The Landoll Corporation exemplifies civic excellence in Kansas and local communities with: Acquiring and renovating vacant buildings; completing renovation of a vacant bowling alley; renovating St. Gregory's Elementary School with workers, materials and funding; currently renovating St. Gregory's church; providing significant fundraising for the newly constructed Community Memorial Hospital; refurbishing the local municipal airport building and facilities; and providing numerous airplane flights for the seriously ill;

WHEREAS, The Landoll Corporation encourages and promotes employee community involvement in: Community festivals, parades, community theater, and local board participation for the community, including: Community Memorial Hospital, Main Street, Marysville Chamber of Commerce, the Kansas State Chamber, and Leadership Marshall County. Don Landoll also serves as President of Team Kansas; and

WHEREAS, The Landoll Corporation has been a successful business for 50 years and is vital to the growth and strength of the Kansas economy: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate the Landoll Corporation for marking its 50th Anniversary, receiving the Ad Astra Award from the Kansas Chamber of Commerce, exemplifying business and civic excellence in Kansas and being a good steward in the Marysville Community; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Schwartz and Don Landoll, Chairman and President of the Landoll Corporation.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2470, HB 2544** be passed.

REPORT ON ENGROSSED BILLS

HB 2420, HB 2516 reported correctly engrossed February 7, 2014.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 11, 2014.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

