

Journal of the House

NINETEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 2, 2018, 9:00 a.m.

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

The roll was called with 120 members present.

Rep. Winn was excused on legislative business.

Reps. Davis, Huebert, Osterman and Powell were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Thank you for this day which represents the
drawing near to the end of a work week,
and the beginning of a weekend.
Today as our leaders wrap up their business,
in their tiredness, be their energy;
in their stress, be their peace;
in their need, be their gift;
in their decisions, give them truth.
May they not go in their own strength,
but be led by Your Spirit.
I pray in Your Son's Name, Amen.

The Pledge of Allegiance was led by Rep. Becker.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2605, AN ACT regulating traffic; concerning the platooning of motor vehicles, definition; amending K.S.A. 8-1523 and K.S.A. 2017 Supp. 8-1486 and repealing the existing sections, by Committee on Transportation.

HB 2606, AN ACT concerning drivers' licenses; relating to electronic online renewal; vision requirements; amending K.S.A. 2017 Supp. 8-240 and repealing the existing section, by Committee on Transportation.

HB 2607, AN ACT concerning sales and compensating use tax; relating to exemptions; Stafford county economic development, inc.; amending K.S.A. 2017 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2608, AN ACT concerning real estate; authorizing the conveyance of land from the department of corrections to fire district 1 of Leavenworth county, Kansas, by Representative Deere.

HB 2609, AN ACT concerning education; relating to school choice; creating the Kansas empowerment scholarship act; amending K.S.A. 2017 Supp. 79-32,117 and repealing the existing section; also repealing K.S.A. 2017 Supp. 79-32,117o, by Committee on Appropriations.

HB 2610, AN ACT concerning landlords and tenants; relating to the residential landlord and tenant act; relating to termination of rental agreements; amending K.S.A. 58-2564 and repealing the existing section, by Committee on Judiciary.

HB 2611, AN ACT directing the secretary of health and environment to review the behavioral health and addiction crisis response in Kansas and report any findings and recommendations to a joint meeting of the standing committee on health and human services of the house and the senate standing committee on public health and welfare, by Committee on Health and Human Services.

HB 2612, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of concealing identity during public demonstration, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2603**.

Education: **HB 2602**.

Elections: **HB 2604**.

Energy, Utilities and Telecommunications: **HB 2601**.

Federal and State Affairs: **HB 2598**.

Health and Human Services: **HB 2600**.

Local Government: **HB 2597**.

Rules and Journal: **HR 6046**.

Transportation: **HB 2599**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Johnson, **HR 6047**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6047**

By Representative Johnson

HR 6047—A RESOLUTION congratulating and commending the 2018 Kansas Teachers of Promise.

WHEREAS, The Kansas Teachers of Promise Program, sponsored by the Kansas State Department of Education, identifies and recognizes students of teaching preparation programs from higher education institutions across Kansas; and

WHEREAS, The mission of the Kansas Teachers of Promise Program is to recognize exemplary higher education students who perform in a way that distinguishes them as outstanding; and

WHEREAS, The Kansas Teachers of Promise Program currently provides all higher education institutions in the state that offer a teacher preparation program an opportunity to nominate two teacher education students for the award; and

WHEREAS, 39 teachers of promise from higher education institutions across the

state have been named as the 2018 Kansas Teachers of Promise; and

WHEREAS, The 2018 Kansas Teachers of Promise are: Haley Roberts, Baker University; Asher Hannon, Baker University; Kelsey Marchand, Benedictine College; Claire Mealey, Benedictine College; Sydney Johnson, Bethany College; Larrah Bills, Bethany College; Stephanie Brown, Bethel College; Alyssa Sullivan, Bethel College; Valerie Dunn, Emporia State University; Maya VanTrece, Emporia State University; Laura Leonard, Fort Hays State University; Samantha Villarreal, Fort Hays State University; Michaela Girard, Friends University; Elizabeth Parsons, Friends University; Brandon Hoaglen, Haskell Indian Nations University; Brianna Smith, Haskell Indian Nations University; Audrey Augustine, Kansas State University; Emily Nine, Kansas State University; Sarah Eurit, Kansas Wesleyan University; Angel Wolf, Kansas Wesleyan University; Marissa Carroll, MidAmerica Nazarene University; Jacob Quickel, MidAmerica Nazarene University; Jamie Hatfield, Newman University; Jonathan Pham, Newman University; Clint Godfrey, Ottawa University; Ashley Freeland, Ottawa University; Erica Hamm-Clark, Pittsburg State University; Leslie Harris, Pittsburg State University; Karrie McNutt, Southwestern College; Kimberly Whiteside, Southwestern College; Tomas Ortiz, Sterling College; Aaron Pinkerton, Sterling College; Carolyn Duff, University of Kansas; Morgan Harris, University of Kansas; Andrew Berry, University of Saint Mary; Joshua Yoakam, University of Saint Mary; Regan Aeschliman, Washburn University; Darian Sanner, Washburn University; Elizabeth Harkman, Wichita State University: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the 2018 Kansas Teachers of Promise teacher education students for their outstanding performance; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send 39 enrolled copies of this resolution to the Commissioner of Education for forwarding to each education student so honored, plus one additional copy to the Commissioner of Education.

CONSENT CALENDAR

No objection was made to **HB 2465** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2042, AN ACT concerning firearms; relating to the personal and family protection act; {relating to eligibility for a license;} relating to the recognition of licenses issued by another jurisdiction; relating to confidentiality of licensure documents; {relating to possession of concealed handguns in postsecondary educational institutions;} amending K.S.A. 2016 {2017} Supp. {21-6302,} {21-6302,} 75-7c03 and {, 75-7c04,} {, 75-7c04} 75-7c06 and {75-7c20 and} repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 76; Nays 44; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Bergquist, Campbell, B. Carpenter, Clark, Concannon, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Hawkins, Hibbard, Hineman, Hodge, Hoffman, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint,

Kelly, Kessinger, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Miller, Orr, F. Patton, Phelps, Phillips, Pittman, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Sawyer, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams.

Nays: Alcalá, Ballard, Bishop, Blex, Brim, Burris, Burroughs, Carlin, Carmichael, Claeys, Clayton, Corbet, Cox, Crum, S., Curtis, Finney, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Highberger, Highland, Holscher, Horn, Houser, Koesten, Kuether, Lusk, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Rooker, Ruiz, Schreiber, Stogsdill, Trimmer, Vickrey, Victors, Ward, Wolfe Moore.

Present but not voting: None.

Absent or not voting: E. Davis, Huebert, Osterman, R. Powell, Winn.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2042**. Although I appreciate the training and permitting component of this bill, it still allows 18 year olds to conceal carry on college campuses. — KATHY WOLFE MOORE, PAM CURTIS, JIM GARTNER, JERRY STOGSDILL, GAIL FINNEY, NANCY LUSK, CINDY NEIGHBOR, PONKA-WE VICTORS, BRODERICK HENDERSON, KC OHAEBOSIM, SYDNEY CARLIN, CINDY HOLSCHER, STEVEN CRUM, MONICA MURNAN, MARY MARTHA GOOD, JOHN CARMICHAEL, ELIZABETH BISHOP

HB 2145, AN ACT concerning crimes, punishment and criminal procedure; relating to firearms, unlawful possession thereof; amending K.S.A. 2016 Supp. 21-6301 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burris, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: E. Davis, Huebert, Osterman, R. Powell, Winn.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources Budget** recommends **HB 2546** be amended on page 3, in line 3, after "fair" by inserting "or any retailer"; in line 4, by striking all after "of"; in line 5, by striking all before the second comma and inserting "tangible personal property at retail while on the Kansas state fairgrounds"; also in line 5, by striking all after "remitted"; in line 6, by striking all before "to" and inserting "to the director of taxation who shall remit all such state sales tax revenue"; in line 9, after "amount" by inserting "in the state treasury";

On page 1, in the title, in line 2, by striking "by" and inserting "on"; also in line 2, by striking "fair" and inserting "fairgrounds"; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources Budget** recommends **HB 2547** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2474** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2479** be passed.

REPORT OF STANDING COMMITTEE

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

Request No. 16, by Representative Jan Kessinger, congratulating Julia Luetje for her invention of the Storm Sleeper, and winning the Grand Prize in Frito Lay's Dreamvention Competition;

Request No. 17, by Representative Joe Seiwert, commending Kansas Law Enforcement Training Center for 50 years of outstanding service in law enforcement training;

Request No. 18, by Representative Ponka-We Victors, honoring Gerald Wawahsuck, Jr. for being fluent in the Sac and Fox Nation language and practicing tribal traditions;

Request No. 19, by Representative Kristey Williams, congratulating Rose Hill High School Volleyball Team for winning the 2016 and 2017 4A State Volleyball Championship;

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. Hineman, the committee report was adopted.

REPORT ON ENGROSSED BILLS

HB 2042, HB 2145 reported correctly engrossed February 1, 2018.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Monday, February 5, 2018.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*