

# Journal of the House

FORTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 20, 2015, 8:00 a.m.

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

The roll was called with 114 members present.

Rep. Huebert was excused on verified illness.

Rep. Victors was excused on legislative business.

Reps. Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan and Suellentrop were excused on excused absence by the Speaker.

Present later: Rep. Huebert.

Prayer by Chaplain Brubaker:

Almighty Lord and God,  
we thank You for this another great day  
to live and serve the people of Kansas.  
It's March Madness time again—  
both in basketball and in the legislature.  
I am sure some are thankful for the early start today  
for they might be able to watch their team play later.  
In basketball, for some of us,  
our brackets have already been blown.  
But we have hope that today both our Kansas teams  
will come through with victories.  
That is what really matters to us.  
In the legislature, for some, their bills have already been defeated,  
but in the work they have yet to do,  
there is hope they will come through for the people of Kansas.  
That is really what matters to us.  
In both arenas today, be with all players—  
give wisdom, strength to use the gifts and skills  
You have given to each one,  
and may everything be played and accomplished  
for Your honor and glory.  
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Boldra.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was referred to committee as indicated:

Commerce, Labor and Economic Development: **HB 2416**.

**CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **SB 117** from Committee on Taxation and rereferral to Committee on Insurance.

Also, the withdrawal of **SB 184** from the Calendar under the heading General Orders and rereferral to Committee on Judiciary.

Also, the withdrawal of **HB 2288** from Committee on Appropriations and rereferral to Committee on Pensions and Benefits.

Also, the withdrawal of **SB 12** from Committee on Corrections and Juvenile Justice and referral to Committee on Veterans, Military and Homeland Security.

**COMMUNICATIONS FROM STATE OFFICERS**

From David N. Harper, Director, Division of Property Valuation, pursuant to K.S.A. 75-3048, 2014 Statistical Report of Property Assessment and Taxation.

From David N. Harper, Director, Division of Property Valuation, pursuant to K.S.A. 79-1490, 2014 Preliminary Real Estate Appraisal/Sales Ratio Study.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

**MESSAGES FROM THE SENATE**

The Senate concurs in House amendments to **H Sub for SB 7**.

Also, announcing passage of **SB 86, SB 161**.

Announcing passage of **HB 2023, HB 2066, HB 2085, HB 2267**.

Announcing passage of **HB 2006**, as amended; **HB 2010**, as amended; **HB 2025**, as amended; **HB 2044**, as amended; **HB 2090**, as amended by **Senate Substitute for HB 2090**; **HB 2231**, as amended; **HB 2364**, as amended.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

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

**SB 86, SB 161**.

**CONSENT CALENDAR**

No objection was made to **SB 43, SB 47** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**SB 43**, AN ACT designating a portion of K-8 as the home on the range highway, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 7; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcala, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin,

Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Seiwert, Smith, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Esau, Grosserode, Hildabrand, McPherson, Scapa, Sutton, Todd.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Huebert, Hutton, Kelley, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed.

**SB 47**, AN ACT concerning insurance; relating to life insurance companies; reserve valuation method; principle-based valuation; standard nonforfeiture law; amending K.S.A. 2014 Supp. 40-409 and 40-428 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcala, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed.

**HB 2387**, AN ACT concerning emergency medical services; amending K.S.A. 2013 Supp. 65-6112, as amended by section 51 of chapter 131 of the 2014 Session Laws of Kansas, and K.S.A. 2014 Supp. 65-6102, 65-6111, 65-6120, 65-6121, 65-6129b, 65-6129c, 65-6133, 65-6135 and 65-6144 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not

voting: 9.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed.

**SB 21**, AN ACT concerning motor vehicles; relating to commercial vehicles; motor carriers; regulation; amending K.S.A. 2014 Supp. 66-1,109 and 66-1,129 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 1; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed.

**Sub SB 38**, AN ACT concerning patent infringement; relating to bad faith assertions of patent infringement; Kansas consumer protection act, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not

voting: 9.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The substitute bill passed, as amended.

**SB 109**, AN ACT concerning emergencies and disasters; creating the Kansas disaster utilities response act; department of revenue, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed, as amended.

**SB 228**, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; defining eligible employees as police; providing retroactive application; amending K.S.A. 2014 Supp. 74-4952 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed, as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **Sub SB 131, SB 252** be passed.

Committee on **Education** recommends **SB 8** 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 2341** be passed.

Committee on **Transportation** recommends **SB 150, SB 190** be passed.

Committee on **Transportation** recommends **SB 127** be amended on page 1, in line 34, by striking "markers" and inserting "highway signs"; on page 3, following line 1, by inserting:

"New Sec. 7. Bridge no. 14(030) on Kansas highway 15 in Clay county is hereby designated as the Clay county Vietnam veterans bridge. The secretary of transportation shall place suitable signs to indicate the bridge is the Clay county Vietnam veterans bridge, except that such signs shall not be placed until the secretary has received sufficient moneys from gifts and donations to reimburse the secretary for the cost of placing such signs and an additional 50% of the initial cost to defray future maintenance or replacement costs of such signs. The secretary of transportation may accept and administer gifts and donations to aid in obtaining and installing suitable signs.

New Sec. 8. The junction of interstate highway 70 and 110<sup>th</sup> street in Wyandotte county is hereby designated as the Bert Cantwell memorial interchange. The secretary of transportation shall place signs along the highway right-of-way at proper intervals to indicate that the junction of interstate highway 70 and 110<sup>th</sup> street is the Bert Cantwell memorial interchange, except that such signs shall not be placed until the secretary has received sufficient moneys from gifts and donations to reimburse the secretary for the cost of placing such signs and an additional 50% of the initial cost to defray future

maintenance or replacement costs of such signs. The secretary of transportation may accept and administer gifts and donations to aid in obtaining and installing suitable signs.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "memorial highways" and inserting "roads and bridges"; also in line 1, before "signage" by inserting "commemorative"; in line 4, by striking "and" and inserting a comma; in line 5, after "highway" by inserting ", the Clay county Vietnam veterans bridge and the Bert Cantwell memorial interchange"; and the bill be passed as amended.

### REPORT OF STANDING COMMITTEE

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

**Request No. 60**, by Representative John Bradford, congratulating Linsey Albee, in recognition for achievement of the Girl Scout Gold Award;

**Request No. 61**, by Representative John Barker, commending David L. Sproat, in recognition of his exemplary service to the citizens of Kansas, the United States of America and his retirement on March 31<sup>st</sup>, 2015;

**Request No. 62**, by Representative John L. Ewy, congratulating Kyle L. Harris in recognition for achievement of Eagle Scout;

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. Vickrey, the committee report was adopted.

### COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Burroughs to replace Rep. Frownfelter on Committee on Insurance on March 20.

Also, Rep. Ruiz to replace Rep. Alcalá on Committee on Local Government on March 20.

### READING AND CORRECTION OF THE JOURNAL

In the Journal, on page 396, under Change of Reference, **HB 2215** should be added to the second paragraph which should read: Also, the withdrawal of **HB 2182**, **HB 2213**, **HB 2215**, **HB 2315** from Committee on Appropriations and referral to Committee on Elections.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Monday, March 23, 2015.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

