

Journal of the House

THIRTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 9, 2016, 11:00 a.m.

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

The roll was called with 122 members present.

Rep. Carlin was excused on legislative business.

Rep. Edmonds was excused on excused absence by the Speaker.

Rep. Suellentrop was absent.

Prayer by guest chaplain, Dr. Gene Carlson, retired pastor of Pathway Church, Wichita, and guest of Rep. Hutton:

Let us pray. The Lord is our shepherd, we shall not want. He makes us lie down in green pastures. He leads us beside still waters. He restores our souls. He guides us in paths of righteousness for His Name's sake. Even though we walk through the valley of the shadow of death, we will fear no evil, for You are with us. Your rod and Your staff will comfort us. You prepare a table before us in the presence of our enemies. You anoint our heads with oil; our cup overflows. Surely goodness and mercy will follow us all the days of our lives and we will dwell in the house of the Lord forever.

Thank You Lord that a you have not left us alone in the universe. For all generations You have been powerful to save.

Guide these committed women and men as they give of their lives--their time, their talent and their resources--to help make our state a wonderful place to live.

On their behalf I ask You to guide them, encourage them, unify them and, above all else, help them to lead with a spirit of humility that will allow them to consider each other's views.

Now unto Him who is able to do immeasurably more than we ask or imagine, according to a his power that is at work within us, to Him be glory among His believers throughout all generations, forever and ever. Amen.

The Pledge of Allegiance was led by Rep. Gonzalez.

INTRODUCTION OF GUESTS

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

When I was recruited to run for the House of Representatives in 2004, I accepted with reservations. I was an unknown running against the speaker pro tem and I never lost my German accent – as you can tell to this day. I thought this would be a handicap, but to my surprise I found that one in three of my constituents had a German grandmother. That led me to study the history of Kansas more closely and I found that German settlers had played an important role in assuring that Kansas entered the union as a free state.

Today I am introducing Elfriede Jass, President of the German American Society and the Liederkrantz Singers, a group of immigrants and their descendants from Germany. They will entertain you on the 1st floor rotunda from 12:00-12:30. These are not German-Americans but Americans with German heritage continuing their cherished customs. They are Americans. We need to get away from hyphenated Americans, blessed as we are to live in this great country. I cringe when I hear people identify themselves as Irish-Americans, Mexican-Americans, African-Americans, Asian-Americans, etc. Let's remember and live according to our motto "e-pluribus unum" loosely translated by one with six years of Latin in high school "from many one" and come together to appreciate our native origins but cherish this land we live in. Enjoy the music. Welcome Liederkrantz.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2724, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; limits on calculations of members' benefits; amounts taxable under 409A and 457(f) plans; amending K.S.A. 2015 Supp. 74-4902 and repealing the existing section, by Committee on Appropriations.

HB 2725, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; limits on calculation of members' benefits, accumulated leave and amounts taxable under 409A and 457(f) plans; limiting accumulation of vacation leave for certain employees; amending K.S.A. 75-5517 and K.S.A. 2015 Supp. 74-4902 and repealing the existing sections, by Committee on Appropriations.

CORRECTION OF REFERENCE

Speaker Merrick announced **HB 2723** appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on General Government Budget, should be corrected to be referred to Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

General Government Budget: **HB 2721**.

Health and Human Services: **HB 2720**.

Taxation: **HB 2719, HB 2723.**

Transportation: **HB 2722.**

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2537, S Sub for HB 2074** from Committee on Calendar and Printing and referral to Committee on Appropriations.

Also, the withdrawal of **Sub HB 2383, HB 2484** from the Calendar under the heading General Orders and referral to Committee on Calendar and Printing.

MESSAGES FROM THE SENATE

Announcing adoption of **HCR 5026.**

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6047**—

By Committee on Energy and Environment

A RESOLUTION encouraging the Kansas Department of Health and Environment to develop guidelines for the safe disposal of household-generated "sharps".

WHEREAS, The safe and proper disposal of sharps is a serious public safety issue, with approximately one in 12 households having someone who may use sharps; and

WHEREAS, The improper disposal of medical syringes, hypodermic needles and other injection medication sharps can pose a serious and costly hazard to families, communities, businesses and individuals who collect and process solid waste and recyclables; and

WHEREAS, Sharps have been placed in plastic containers that are placed in the recycling and then transported to recycling facilities resulting in a safety hazard for the employees in these facilities; and

WHEREAS, there is a need for public health and safety education regarding the appropriate disposal of household-generated sharps and their exclusion from materials intended for recycling; Now, therefore:

Be it resolved by the House of Representatives of the State of Kansas: That we urge the Kansas Department of Health and Environment to develop and publish educational guidelines on its website regarding the proper disposal of household sharps, including mixing such items with any other materials separated for recycling, and to provide a list of other safe disposal options to inform the citizens of Kansas of the public safety and health dangers of improper disposal of household sharps; and

Be it further resolved: That we urge the Kansas Department of Health and Environment to partner with local governments to encourage the incorporation of safe disposal options in the county's solid waste management plans and with other organizations to further encourage communication about the proper disposal of household sharps, safe disposal options, program assistance and local government resources; and

Be it further resolved: That we urge the Kansas Department of Health and Environment to provide an update to the Kansas House of Representatives Committee on Energy and Environment about the development of this public education initiative before February 1, 2017; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the Secretary of the Kansas Department of Health and Environment.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Clark, **HR 6048**, as follows, was introduced and adopted:

By Representative Clark

HR 6048—A RESOLUTION honoring Albert Curley and Nolan Self.

A RESOLUTION honoring Retired First Sergeant Albert Curley and Retired Master Sergeant Nolan Self for their exceptional dedication and service to the State of Kansas and our country.

WHEREAS, In 1866, Congress created six segregated regiments that were ultimately consolidated into four all-black regiments: the 9th and 10th Cavalry and the 24th and 25th Infantry. They were sent west where they were assigned to protect settlements and railroad workers, build roads and establish telegraphs. Native American Indians both feared and respected the soldiers and named them "Buffalo Soldiers," because their hair and fierce fighting spirit reminded them of the revered buffalo; and

WHEREAS, The Buffalo Soldiers have fought heroically in many major U.S. conflicts, including the Indian Wars, World War I, World War II, the Korean War and the Vietnam War; and

WHEREAS, Albert Curley is a retired Army First Sergeant of the 9th Cavalry Regiment. He began his military career in Fort Riley, Kansas, in 1940, and served in Italy and Japan, and in two tours of duty in Germany, Korea and Vietnam. His awards and decorations include: the Purple Heart, Bronze Star, Army Commendation Medal with Oak Leaf Cluster and Good Conduct Medal. In March of 1969, after 28 years in the Army, he retired at Fort Riley, Kansas; and

WHEREAS, Nolan Self is a retired Army Master Sergeant of the 10th Cavalry Regiment. He served five campaigns during World War II. He was stationed at Fort Leavenworth and Fort Riley and later moved to Junction City when he retired from the military, after 17 years of service; and

WHEREAS, On January 18, 2016, during the annual Martin Luther King, Jr. Day Celebration at the C.L. Hoover Opera House in Junction City, Kansas, the contributions of the Buffalo Soldiers were honored, and Retired First Sergeant Albert Curley and Retired Master Sergeant Nolan Self were recognized for their work: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the Kansas House of Representatives honors Buffalo Soldiers Retired First Sergeant Albert Curley and Retired Master Sergeant Nolan Self for their exceptional dedication and service to the State of Kansas and our country. Thank you for protecting us and for your lifelong contributions to the United States Army, Fort Riley and Junction City. We know

that you and your comrades have sacrificed so much for your country, and have served to protect the freedom and security of the United States of America; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to Retired First Sergeant Albert Curley and Retired Master Sergeant Nolan Self.

INTRODUCTION OF GUESTS

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

It is my honor today to recognize two “Buffalo Soldiers” for their service to The United States of America and The Great State of Kansas.

1st Sgt. Curley has health issues that has prevented them from being with us today, but I am honored to introduce Master Sgt. Nolan Self and his wife Wilma; one of their seven children, Mr. Curtis Self, his wife Charlotte; their daughter April and grandson, Derron Johnson.

Also with us are:

Mr. Earnest Skillern and his wife Lizzie

Mr. Dale Cushinberry and his wife Anita, and Helen K. Duncan

Geary Co. Commissioner, Mr. Larry Hicks

Junction City Commissioner, Mr. Jim Sands

Junction City Chapter President of the NAACP, Mr. Jackie McDonald

I have a few things I want to add that exemplifies the courage of these two American soldiers. The Cheyenne said, “The Buffalo Soldiers were like the Buffalo, fierce fighters and hard to kill.” The Cheyenne were right! It was mentioned that 1st Sgt. Curley earned The Purple Heart while fighting in Italy and that he did. 1st Sgt. Curley was wounded in action clearing out an enemy machine-gun nest, and was hit with enemy fire three times! He remained in the hospital in Italy, until he recovered and was then sent back to the front lines.

Master Sgt. Self saw combat in FIVE CAMPAIGNS, during the Second World War, FIVE! That is astonishing!!! Master Sgt. Self explained the Army moved the 10th Cavalry to Fort Riley to train with the 9th Cavalry. That's where he met fellow buffalo soldier and World Heavy Weight Champion Joe Louis. Louis was stationed at Fort Riley with his family and realized there wasn't much for the other buffalo soldiers to do so he called his friend, Count Basie, who agreed to perform a concert in Topeka. Louis rented buses, giving a couple hundred girls free transportation, to the concert so the soldiers would have someone to dance with. That's when Master Sgt. Self met the girl he would dance with for the next 73 years.

Please join me in thanking these American Heroes and their families for their service to our country.

CONSENT CALENDAR

No objection was made to **SB 370** appearing on the Consent Calendar for the first day.

No objection was made to **SB 423** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 423, AN ACT concerning postsecondary education; redesignating Kansas state university - Salina, college of technology as Kansas state university polytechnic campus; amending K.S.A. 74-3209, 74-3229, 76-205, 76-213, 76-220, 76-221, 76-222, 76-223, 76-751 and 76-754 and K.S.A. 2015 Supp. 76-156a, 76-756 and 76-7,126 and repealing the existing sections, 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, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlin, Doll, Edmonds, Scott, Suellentrop.

The bill passed.

HB 2549, AN ACT concerning law enforcement; relating to requests for law enforcement assistance from jurisdictions located outside the state of Kansas, but within the United States, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 8; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien,

Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Esau, Grosserode, Hildabrand, K. Jones, McPherson, Peck, Scapa.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The bill passed, as amended.

HB 2582, AN ACT concerning the department of revenue; relating to driver's license examiners, unclassified service; amending K.S.A. 2015 Supp. 74-2015 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 76; Nays 46; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dove, Esau, Estes, Ewy, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcalá, Anthimides, Ballard, Bollier, Burroughs, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Finch, Finney, Frownfelter, Gallagher, Helgerson, Hemsley, Henderson, Henry, Highberger, Hill, Houston, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Pauls, Rooker, Ruiz, Sawyer, Scott, Sloan, C. Smith, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The bill passed.

HB 2605, AN ACT concerning motor vehicles; relating to vehicle registration, failure or refusal to pay tolls; amending K.S.A. 2015 Supp. 8-173 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 61; Nays 61; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anthimides, Becker, Billinger, Boldra, Bradford, Campbell, Carmichael, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, Doll, Esau, Estes, Finch, Francis, Frownfelter, Gonzalez, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hoffman, Hutton, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Rhoades, Ryckman, Ryckman Sr., Schwab, Schwartz, Seiwert, Sloan, Thimesch, Todd, Vickrey, Waymaster, Weber, C., K. Williams, Wilson.

Nays: Alcalá, Alford, Ballard, Barker, Barton, Bollier, Bruchman, Burroughs, B. Carpenter, Clayton, Curtis, DeGraaf, Dierks, Dove, Ewy, Finney, Gallagher, Garber, Goico, Grosserode, Helgerson, Henderson, Henry, Highberger, Hineman, Houser,

Houston, Huebert, Hutchins, Jennings, K. Jones, Kelley, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, McPherson, Ousley, Peck, Read, Rooker, Rubin, Ruiz, Sawyer, Scapa, Schroeder, Scott, C. Smith, Sutton, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Whitmer, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The bill did not pass.

EXPLANATIONS OF VOTE

MR. SPEAKER: I believe in personal responsibility and accountability when it comes to criminal sentencing or, as here, civil penalties. But this bill penalizes registered vehicle owners with civil money penalties, and ultimately even registration refusals, for others' wrongdoing -- turnpike toll evasions committed by other drivers of his/her vehicle. That is wrong. Worse, I understand from county treasurers that every car in an owner's name on a multiple registration could also be affected by these provisions. For these reasons, and because of the even longer registration lines that will result in many counties, many treasurers are opposed to this bill. I vote "NO" on **HB 2605**. – JOHN RUBIN

MR. SPEAKER: **HB 2605** is an important piece of legislation for the safety of customers traveling the KTA system and for the employees of the KTA that frequently have to stop traffic and walk across lanes of moving traffic to accommodate a customer unintentionally in the KTAG lanes. It allows Kansas to modernize our toll system in the most fiscally responsible way for customers. **HB 2605** is important to keep tolls low for all of the Kansas turnpike customers that will travel through and within our state that pay their tolls the way they should. I vote yes. – RICHARD PROEHL

MR. SPEAKER: I vote NO on **HB 2605**. I've heard from Johnson County Treasurer Thomas Franzen, treasurer for the largest county in the State expressing his opposition to **HB 2605**. This bill would create many problems for county treasurer's offices – dealing with irate people, delaying the vehicle registration process for others in line, tracking down different versions of names for the same person owning several vehicles, and dealing with duplicate license plate numbers for different vehicle classifications. This is another case of the state asking local governments to do more with fewer resources. I support the premise of this bill, just not the way it is done. – LINDA GALLAGHER, STEPHANIE CLAYTON, BARBARA BOLLIER

H Sub for SB 128, AN ACT concerning district courts; relating to vacancies in the office of judge of the district court; nominations for successor by district judicial nominating commission; amending K.S.A. 2015 Supp. 20-2909 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 14; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henry, Hibbard, Highland,

Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson.

Nays: Alcalá, Curtis, Frownfelter, Henderson, Highberger, Houston, Kuether, Ousley, Ruiz, Tietze, Victors, Ward, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The substitute bill passed, as amended.

SB 319, AN ACT concerning civil procedure for limited actions; relating to venue under the small claims procedure act; amending K.S.A. 61-2708 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The bill passed, as amended.

SB 321, AN ACT concerning probate; relating to filing of wills; amending K.S.A. 2015 Supp. 59-618a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K.

Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The bill passed, as amended.

H Sub for SB 44, AN ACT concerning the commercial real estate broker lien act; relating to conditions, recording and notice of lien; amending K.S.A. 58-30a03, 58-30a07 and 58-30a09 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Suellentrop.

The substitute bill passed.

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 **SB 312** be passed.

HB 2457 be passed over and retain a place on the calendar.

On motion of Rep. Hildabrand to re-refer **HB 2369** to Committee on Health and Human Services, the motion did not prevail and the bill be passed.

Committee reports to **HB 2509** be adopted; also on motion of Rep. Sloan, **HB 2509** be amended; as Further Amended by House Committee, on page 2, in line 1, after "the" by inserting "executive"; in line 29, after "the" by inserting "executive";

On page 1, in the title, in line 5, after "the" by inserting "executive"; also in line 5, after the semicolon by inserting "executive"; and the bill be passed as amended.

On motion of Rep. Rhoades, **HB 2571** be amended on page 2, in line 33, after "(e)" by inserting "Programs and treatments provided by"; also in line 33, by striking "has" and inserting "have"; in line 35, by striking "has" and inserting "have"; in line 36, by striking "an equivalent entity" and inserting "another national accrediting body approved by the Kansas department for aging and disability services"; following line 37, by inserting:

"(f) The Kansas department for aging and disability services shall inspect accredited community mental health centers to determine compliance with state licensing standards and rules and regulations not covered by the accrediting entity's standards. Community mental health centers receiving accreditation shall continue to be subject to inspections and investigations resulting from complaints.

(g) In the event that an accredited community mental health center loses accreditation, the community mental health center shall immediately notify the Kansas department for aging and disability services."; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 193** be adopted;

On motion of Rep. Highland, **H Sub for SB 193** be amended on page 1, in line 25, by striking the comma and inserting "and"; also in line 25 by striking "and"; in line 26, by striking "loans"; and the substitute bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Energy and Environment** recommends **SB 318**, as amended by Senate Committee of the Whole, be amended on page 8, in line 17, after "activities" by inserting ", studies and investigations"; also in line 17, after "the" by inserting "preparation of an initial submittal or the evaluation of any options for the submission of a final state plan pursuant to the"; in line 19, after the fourth period by inserting "Nothing in this subsection shall be construed so as to restrict the ability of a state agency from communicating with, or providing information to, other state agencies in furtherance of any of the agency's statutory obligations."; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2607**, be amended by adoption of the amendments recommended by the House Committee on Health and Human Services as reported in the Journal of the House on February 18, 2016, and the bill, as printed with amendments by the House Committee, be passed as amended.

Committee on **Health and Human Services** recommends **HB 2614**, be amended by adoption of the amendments recommended by the House Committee on Health and Human Services as reported in the Journal of the House on February 19, 2016, and the bill, as printed with amendments by the House Committee, be passed as amended.

Committee on **Judiciary** recommends **HB 2553** be passed.

Committee on **Judiciary** recommends **SB 376**, as amended by Senate Committee, be passed.

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 2726, AN ACT concerning state agencies; relating to procurement procedures for insurance services; responsibilities of the department of administration, by Committee on Appropriations.

HB 2727, AN ACT concerning the secretary for children and families; relating to persons in arrearage under certain support orders; registration or renewal of registration of certain vehicles and certain vessels; duties of the secretary of revenue, the division of vehicles and the secretary of wildlife, parks and tourism; amending K.S.A. 2015 Supp. 8-173 and 32-1111 and repealing the existing sections, by Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Dove moved that the House reconsider its adverse action in not passing **HB 2605** and the bill be returned to that order of business Final Action on Bills and Concurrent Resolutions. The motion prevailed.

HB 2605, AN ACT concerning motor vehicles; relating to vehicle registration, failure or refusal to pay tolls; amending K.S.A. 2015 Supp. 8-173 and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 63; Nays 54; Present but not voting: 0; Absent or not voting: 8.

Yeas: Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bradford, Campbell, Carmichael, W. Carpenter, Claeys, Clark, Concannon, Corbet, E. Davis, Dierks, Doll, Dove, Esau, Estes, Finch, Francis, Frownfelter, Gonzalez, Hawkins, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Hutton, Johnson, D. Jones, Kelly, Kleeb, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Rhoades, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Sloan, Thimesch, Todd, Vickrey, Weber, C., Whipple, Whitmer, K. Williams, Wilson.

Nays: Alcalá, Alford, Barton, Bollier, Bruchman, Burroughs, B. Carpenter, Clayton, Curtis, DeGraaf, Ewy, Finney, Gallagher, Garber, Goico, Grosserode, Helgerson, Henderson, Henry, Highberger, Hill, Hineman, Houser, Houston, Hutchins, Jennings, K.

Jones, Kelley, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, McPherson, Ousley, Peck, Read, Rooker, Rubin, Ruiz, Sawyer, Scapa, Scott, C. Smith, Sutton, S. Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Edmonds, Hedke, Huebert, Kahrs, Kiegerl, Suellentrop, Waymaster.

The bill passed, as amended.

REPORT ON ENGROSSED BILLS

HB 2549, HB 2605 reported correctly engrossed March 8, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, March 10, 2016.

BECKIE HENDRICKS, JENNY HAUGH, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

