

# Journal of the House

FORTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 21, 2016, 9:00 a.m.

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

The roll was called with 123 members present.

Reps. Helgerson and Kelley were excused on excused absence by the Speaker.

Present later: Reps. Helgerson, Kelley.

Prayer by Rabbi Zalman Tiechtel, Rohr Chabad Center for Jewish Life, Lawrence, and guest of Rep. Highberger:

Almighty G-d, Master of the Universe.

The members of this honorable House of Representatives of the State of Kansas, gather here today to do the people's business in good faith and with selfless dedication. In doing so, they fulfill a fundamental precept, which, according to sacred Biblical tradition, You first issued to Adam at the time of his creation and to Noah after the Great Flood - the commandment to govern by just laws.

At mankind's beginning, You issued forth seven universal commandments for all humanity to heed, which came to be known as the "Seven Noahide Laws". The last of those precepts is that every society legislate for itself a system of law, order and social justice, based on the recognition and acknowledgment of You, Almighty G-d, as the Sovereign ruler of all people and of all nations.

Almighty G-d, you created us all in love. Teach us to love all that is good and beautiful in this world.

Teach us to honor the dignity of difference, recognizing that one that is not in our image is nonetheless in your image. Never forgetting that the people not like us, are still people, like us.

At this fateful moment in the human story, bless us all, that we may be a blessing to others.

Guide the nations of the world to honor you by honoring one another. So that by reaching out in love, we may turn enemies into friends and become your family on earth as you are our parent in heaven.

Grant us, Almighty G-d, that those assembled here to enact

laws to govern this blessed State of Kansas be cognizant of Your presence and conduct their deliberations accordingly. Allow them to debate their differences vigorously, but to remember foremost that to legislate for the common good of the people is not only a civic privilege, but also a divinely mandated responsibility.

May they contemplate and bear in mind as they engage in the enactment of just and benevolent law and public policy that in doing so they are fulfilling Your G-dly will. Amen.

The Pledge of Allegiance was led by Rep. Highberger.

### **INTRODUCTION OF GUESTS**

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

Today we'd like to recognize Colby Johnson, a junior at Burlington High School, who won the class 4A State Wrestling Championship this past month. This win tops off an excellent year for Colby, in which he earned his 100th career win and was also recognized as both the Outstanding Wrestler at the Burlington Invitational and Regional Wrestler of the Year at the Columbus Class 4A Regional Tournament. Colby was one of two wrestlers to enter the state tournament undefeated. This year, he made Burlington High School history by becoming the second Burlington wrestler to earn an individual state championship and the first to post an undefeated season with a record of 45-0.

With him today are his parents, Tim and Kristy Johnson, his brother Cael, and his coach, Doug Vander Linden, whose encouragement and support I'm sure has played a huge part in his success.

Congratulations Colby, on your superior proof of strength and agility. We're proud of you.

Rep. Mast presented Colby Johnson and Coach Linden with House certificates.

### **INTRODUCTION OF GUESTS**

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

A few weeks ago I had the opportunity to attend the annual Boys and Girls Club Youth of the Year event here in Topeka. There I got to hear the stories of ten amazing young people who have worked against long odds to improve their lives and to give back to their communities in service to others. Quite a few of you here today were also there, and I am sure that you were as glad as I was that I didn't have to be one of the judges and to have to choose a winner from among those talented and hard-working kids.

But the judges did have to choose, and they selected Jazmyne McNair of Lawrence as 2016 Kansas Boys & Girls Club Youth of the Year. I'd like to tell you a little bit about Jazmyne.

Jazmyne McNair embodies academic success and good character and citizenship every day. As a junior at Lawrence High School, Jazmyne balances a multitude of

extracurricular activities, school projects, working at the Boys & Girls Club, and even finds time to teach Sunday School classes. Her commitment to being in the community is as evident as her passion for helping others find their voice and use it.

Jazmyne has been a member of the LHS orchestra for three years, the choir for three years, the forensic team for three years, and has been part of more than 10 concerts and plays. This forensics season Jazmyne is a two-time State Qualifier, which includes five top-five finishes. In March, she was selected to travel to Chicago with the LHS Symphonic, Philharmonic, and Concert Orchestras.

Away from school, Jazmyne is equally diligent. Since seventh grade, she has volunteered as a Sunday school teacher for all age levels at her church. She is also active with empowering fellow women in her school and community. Though she is still a year away from college, she has aspirations of majoring in music therapy or music education at Kansas State University.

As winner of the state title, Jazmyne will take part in the Southwest Regional Youth of the Year contest June 20 in Dallas. She is joined here today by her mother, Melissa Johnson, Alissa Bauer, Director of Marketing at the Boys & Girls Club of Lawrence, and Colby Wilson, Executive Director of the Boys & Girls Club of Lawrence.

Friends, please join me in congratulating Jazmyne McNair, the 2016 Kansas Boys & Girls Club Youth of the Year.

Rep. Highberger presented Ms. McNair with a framed House certificate.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 404**, **SB 457**.

Federal and State Affairs: **SB 421**.

Health and Human Services: **SB 422**, **SB 445**.

Judiciary: **SB 454**.

Taxation: **SB 474**.

## MESSAGES FROM THE GOVERNOR

**HB 2438** approved on March 18, 2016.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Peck, **HR 6053**, by Rep. Peck, as follows, was introduced and adopted:

**HR 6053**—A RESOLUTION honoring Frank Foster for his service in World War II, the Korean War and the Vietnam War.

WHEREAS, Frank Foster is one of a small number of Americans still living who served in the United States Armed Forces during World War II, the Korean War and the Vietnam War; and

WHEREAS, Frank Foster served the U.S. Navy as a mechanic for 25 years, from 1942 through 1967, and spent time in Pearl Harbor, Australia, Hong Kong, China,

Singapore, Saudi Arabia, the Suez Canal, the Sahara Desert, the Mediterranean Sea, Gibraltar, Morocco, Norway, England, the Panama Canal, Korea, Vietnam and Japan; and

WHEREAS, Between his deployments to Korea and Vietnam, Frank Foster married his wife, Norma, in 1959 and, together, they raised a family in Elk City, Montgomery County, Kansas; and

WHEREAS, Frank Foster instilled in his five children a deep love and respect for their country and they all went on to serve in the U.S. Armed Forces; and

WHEREAS, The freedoms and security we cherish as Kansans and Americans come at a very high price for those serving in the military, especially in times of conflict. It is, therefore, fitting and proper that we, the beneficiaries of those who risk their lives, express our appreciation and gratitude for their sacrifices and courageous acts at every given opportunity: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we honor Frank Foster for his military service in World War II, the Korean War and the Vietnam War; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send two enrolled copies of this resolution to Representative Peck.

## INTRODUCTION OF GUESTS

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

Today we have one of those once in a legislative career opportunities. Not only will we recognize the boys in blue for a World Series Championship, but we have the privilege of honoring a great American Patriot – Frank Foster.

The 94 year-old man standing before you today is a three-war military veteran. Frank Foster served in the U.S. Navy during three wars that involved the United States; World War II, the Korean War, and the Vietnam War. The number of veterans still living who fought for American freedoms in World War II is getting smaller by the month. Additionally, the number of Americans who were willing to give of themselves by serving our nation in World War II, Korea, and Vietnam was not that large to begin with and it is getting very small. Therefore, it is fitting that we bestow special honor today in recognizing and thanking Frank Foster for his sacrificial service to help make this the greatest nation in modern history.

Not only do we thank Frank Foster for a courageous, 25-year military career, but we thank Frank and his wife Norma for instilling a great love of country in their five children. All five of Frank and Norma's children also served in the United States military. Their oldest, Michael, served in the US Army and retired from the Army National Guard; Greg attended the US Naval Academy and served in the Navy Reserves; James retired from the US Army Special Forces; Charles served in and retired from the US Air Force; and their youngest, and only girl, Michelle served eight years in the US Navy. When you add it all up, Frank Foster and his five children served in the United States Armed Forces for a total of 129 years.

Please join me in thanking and honoring a Great American – Frank Foster

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Schwab, **HR 6054**, by Reps. Merrick, Burroughs, Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Campbell, Carlin, Carmichael, Carpenter, Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, 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, Jones, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore, as follows, was introduced and adopted:

**HR 6054**—A RESOLUTION congratulating and commending the Kansas City Royals baseball club on their 2015 World Championship of Major League Baseball.

A RESOLUTION congratulating and commending the Kansas City Royals baseball organization on their World Championship 2015 season.

WHEREAS, The Kansas City Royals are the 2015 World Series Champions, earning the title of World Champions of Major League Baseball; and

WHEREAS, The Kansas City Royals are also the 2015 American League Central Division Champions and won the 2015 American League pennant for the second year in a row; and

WHEREAS, The Kansas City Royals won an American League leading 95 games, and won 11 more games in the postseason, culminating in a dominant World Series victory over the New York Mets in five games, in the best-of-seven annual championship classic, earning the Royals their first championship since 1985; and

WHEREAS, The 2015 World Series matchup between the Royals and the Mets featured the first-ever Fall Classic between two of Major League Baseball's expansion franchises; and

WHEREAS, Game one of the World Series was played on October 27, 2015, which exactly 30 years prior to such day, on October 27, 1985, the Kansas City Royals won game seven and their first World Series Championship; and

WHEREAS, With the first pitch in the bottom of the first inning of the first game of the 2015 World Series, Royals shortstop, Alcides Escobar hit the first inside-the-park home run by a lead-off hitter in a World Series game since 1903; and

WHEREAS, The opening game also set the tone for this memorable series when Royals All-Star Alex Gordon sent the game into extra innings in the ninth inning, becoming only the fifth player in history to tie a World Series game with a ninth-inning home run. The Royals went on to a dramatic victory in the 14-inning contest, which matched the longest game in World Series history; and

WHEREAS, The Kansas City Royals catcher, Salvador Perez, was chosen as the Most Valuable Player of the 2015 World Series, for being the player selected as having

the most impact on the performance of the Royals in the World Series; and

WHEREAS, Time and time again, the Kansas City Royals found a way to rally in late innings to win a critical game and turn the improbable into the probable, which was no more apparent than in the championship-clinching game five of the World Series, where the Royals scored two runs in the ninth inning, and scored five runs in the 12<sup>th</sup> inning, for the victory; and

WHEREAS, Named to the 2015 American League All-Star team were seven Kansas City Royals: Salvador Perez, Alcides Escobar, Lorenzo Cain and Alex Gordon, as starters, and Mike Moustakas, Kelvin Herrera and Wade Davis; and

WHEREAS, The owners, manager, coaches, trainers, other associated organizational persons, and most of all, the players of the Kansas City Royals baseball organization are to be congratulated and commended for their outstanding efforts in earning the title of 2015 World Champions of Major League Baseball: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That the Kansas City Royals baseball club and all persons connected therewith, including all Royals fans, be congratulated on their outstanding 2015 Major League baseball season, and winning their second World Championship; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to the Kansas City Royals baseball club.

## INTRODUCTION OF GUESTS

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

Colleagues,

“We’re all told some at point in time that we can no longer play the children’s game. Some of us are told at 18, some of us are told at 40. But we’re all told”

That is one of my favorite lines from the movie, “Moneyball”. It puts into perspective what baseball is. It is a kids game kids play. And a select few get to play the kids game like kids while being grown ups. I remember being that kid, lying on the living room floor in 1985 when Denny Mathews said, “And no outs to go.” The Kansas City Royals got their first World Series Trophy.

Last November 3 of my 4 boys were lying on the living room floor watching men, play baseball like little kids. Taking chances, stealing home, making clutch hits, secret handshakes, high fives, gatorade baptisms, a catcher harassing a center fielder, a first baseman who has his own haircut.....that my son Caleb right their is sporting.....a magic number 1738, and a rookie driving in the ahead run.

This time we would hear Ryan Lefebvre say, “One ball, two strikes. Davis comes to the plate...Strike three called!!!! They’ve done it!! The Royals are World Series Champions.The World Champion Kansas City Royals.”

I have with me here today the famous KayCee, Curt Nelson—Director of the Royals Hall of Fame, and Toby Cook, Vice President of Publicity.

Gentleman, please send our thank to Mr. Glass, Mr. Dayton Moore, Coach Ned Yost, and all the men who played the boys game like grown boys and brought home that piece of hardware right there.....The World Series Trophy. And Thank you for the memories you gave myself and my four sons and the entire region.

**MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

On motion of Rep. Esau, **HR 6047**, A RESOLUTION encouraging the department of health and environment to develop guidelines for the disposal of household generated sharps, was adopted.

There being no objections, the following remarks of Rep. Esau are spread upon the Journal:

As some of you know, I have been a Type I diabetic for almost 35 years. This means I give myself injections of insulin and test my blood sugar several times a day.

Each injection and every test requires the use of a “sharp” item – either a needle or a lancet. These sharps must be disposed safely after each use and as such, I place them in a plastic container and seal and dispose of that container when it is full.

In the 35 years I have been diabetic, I have never received instruction on how to properly dispose of these sharps. While I researched and found the proper way, it is unfortunate that many people who must dispose of sharps mistakenly place them in with the recyclable items.

This resolution would help on instruction of proper disposal.

**CONSENT CALENDAR**

No objection was made to **SB 443** appearing on the Consent Calendar for the first day.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**H Sub for SB 249**, AN ACT concerning the authority of state agencies to enter into indebtedness on behalf of the state; relating to the issuance of bonds by the Kansas development finance authority; monthly reports by the authority; amending K.S.A. 74-8913 and K.S.A. 2015 Supp. 74-8905 and repealing the existing sections, 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, 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, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, 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, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn.

Nays: Ballard, Carlin, Kuether, Lusker, C. Smith, Tietze, Ward, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Helgerson, Kelley, Suellentrop.

The substitute bill passed, as amended.

**H Sub for SB 255**, AN ACT concerning court fees and funds; amending K.S.A. 2015 Supp. 21-6614 and repealing the existing section; reviving and amending K.S.A. 5-517 and 20-166 and K.S.A. 2013 Supp. 20-1a04, 28-172b, 74-7325, 74-7334 and 75-7021 and repealing the revived sections; also repealing K.S.A. 5-517, as amended by section 5 of chapter 82 of the 2014 Session Laws of Kansas, and 20-166, as amended by section 8 of chapter 82 of the 2014 Session Laws of Kansas; K.S.A. 2013 Supp. 20-1a04, as amended by section 6 of chapter 82 of the 2014 Session Laws of Kansas, 20-367, 21-6614d, 28-172b, as amended by section 28 of chapter 82 of the 2014 Session Laws of Kansas, 38-2312c, 60-2001b, 74-7325, as amended by section 38 of chapter 82 of the 2014 Session Laws of Kansas, 74-7334, as amended by section 39 of chapter 82 of the 2014 Session Laws of Kansas, and 75-7021, as amended by section 42 of chapter 82 of the 2014 Session Laws of Kansas; and K.S.A. 2015 Supp 20-1a16 and 21-6614f, 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, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, 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: Helgerson, Kelley, Suellentrop.

The substitute bill passed.

**SB 329**, AN ACT concerning water; relating to multi-year flex accounts; amending K.S.A. 2015 Supp. 82a-708c and 82a-736 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

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

The bill passed.

**SB 330**, AN ACT concerning conservation; establishing the Kansas conservation reserve enhancement program, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 26; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, E. Davis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleebe, Kuether, Lewis, Lusk, Lusker, Mason, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Scott, Seiwert, Sloan, C. Smith, S. Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, B. Carpenter, Corbet, DeGraaf, Esau, Garber, Grosserode, Hedke, Highland, Hildabrand, Houser, Hutchins, K. Jones, Kahrs, Lunn, Macheers, Mast, McPherson, R. Powell, Rubin, Scapa, Suellentrop, Sutton, Todd, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Helgerson, Kelley.

The bill passed.

**SB 367**, AN ACT concerning children and minors; relating to juvenile justice; amending K.S.A. 12-4112, 20-167, 75-3722 and 75-6704 and K.S.A. 2015 Supp. 8-241, 8-2110, 12-4117, 38-2202, 38-2232, 38-2242, 38-2243, 38-2260, 38-2288, 38-2302, 38-2304, 38-2313, 38-2325, 38-2330, 38-2331, 38-2332, 38-2342, 38-2343, 38-2344, 38-2346, 38-2347, 38-2360, 38-2361, {38-2364,} 38-2367, 38-2368, 38-2369, 38-2371, 38-2372, 38-2373, 38-2374, 38-2375, 38-2376, 38-2377, 38-2389, 65-5603, 72-1113, 72-8222, 72-89b03, 72-89c02, 74-4914, 75-7023, 75-7038, 75-7044, 75-7046 and 79-4803 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 38-2334 and 38-2335, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter,

Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleebl, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, 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, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Esau, Kahrs, Mast, Tietze, Ward, Waymaster.

Present but not voting: None.

Absent or not voting: Helgerson, Kelley.

The bill passed, as amended.

**SB 412**, AN ACT concerning counties; relating to the grant of an easement to a water district, conditions and purposes; amending K.S.A. 19-3521b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

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

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Rhoades in the chair.

#### COMMITTEE OF THE WHOLE

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

Recommended that **HB 2471**, **SB 485**, **SB 484**, **SB 352** be passed.

**HB 2739**, **H Sub for SB 149**, **H Sub for SB 63**, **HB 2724** be passed over and retain a place on the calendar (see further action Afternoon Session page 2347)

Committee report recommending a substitute bill to **H Sub for SB 245** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for SB 402** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **Sub HB 2054** be adopted.

On motion of Rep. Pauls, **Sub HB 2054** be amended on page 1, in line 7, after the first comma by inserting "and"; also in line 7, by striking the second comma and inserting "and"; in line 8, by striking "and otherwise participate in government" and inserting ", in connection with a public issue or issue of public interest"; in line 21, by striking "matter of public concern" and inserting "public issue or issue of public interest";

On page 2, in line 4, by striking all after "other"; in line 5, by striking "concern" and inserting "public issues or issues of public interest"; in line 15, after "communication" by inserting "or conduct"; in line 22, by striking "Matter of public concern" and inserting "Public issue or issue of public interest";

On page 4, in line 12, after "customer" by inserting ", except as provided in subsection (i)"; in line 15, after "(i)" by inserting "Subsection (h)(2) shall not apply to any action against any person or entity based upon the creation, dissemination, exhibition, advertisement or other similar promotion of any dramatic, literary, musical, political or artistic work, including, but not limited to, a motion picture or television program, or an article published in a newspaper or magazine of general circulation.

(j)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly and the substitute bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 168** be adopted; and the substitute bill be passed.

## REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2587** be amended on page 3, in line 4, after "(f)" by inserting "If a city or county is a defendant in litigation arising from enforcing the federal immigration laws to the full extent permitted by federal law, the attorney general shall, at the request of the city or county, defend the city or county in the litigation. All costs incurred by the attorney general to defend a city or county as provided in this subsection, including payment of court costs, shall be paid from the state general fund.

(g) If a city or county incurs liability for enforcing the federal immigration laws to the full extent permitted by federal law, the city or county responsible for the costs incurred shall be reimbursed for such costs by filing a claim against the state pursuant to article 9 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.

(h) ";

On page 1, in the title, in line 3 before the period, by inserting "; litigation against municipality, defense by attorney general, claim against the state";

And the bill be passed as amended.

Committee on **Judiciary** recommends **Substitute for SB 428**, as amended by Senate Committee of the Whole, be amended on page 1, in line 16, by striking all after the period; by striking all in lines 17 through 24; in line 28, after the period by inserting "The procedures should include:

- (1) Use of blind and blinded procedures;
- (2) instructions to the witness that the perpetrator may or may not be present;
- (3) use of non-suspect fillers who are reasonably similar to the perpetrator and do not make the suspect stand out; and
- (4) after an identification is made by the witness, eliciting a confidence statement, in the witness's own words, regarding the level of certainty in the selection."; and the bill be passed as amended.

On motion of Rep. Vickrey, the House recessed until 1:00 p.m.

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#### AFTERNOON SESSION

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

#### MESSAGES FROM THE SENATE

The Senate nonconcur in House amendments to **SB 318**, requests a conference and has appointed Senators Olson, Petersen and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2131** and has appointed Senators Olson, Petersen and Francisco as conferees on the part of the Senate.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 318**.

Speaker Merrick thereupon appointed Reps. Hedke, Corbet and Kuether as conferees on the part of the House.

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **HB 2501** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **HB 2462** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **HB 2545** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Gonzalez, the House nonconcurred in Senate amendments to **HB 2447** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Gonzalez, Pauls and Highberger as conferees on the part of the House.

On motion of Rep. Hawkins, the House nonconcurred in Senate amendments to **HB 2615** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Hawkins, Dove and Ward as conferees on the part of the House.

On motion of Rep. Schwab, the House nonconcurred in Senate amendments to **HB 2446** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwab, Kelly and Houston as conferees on the part of the House.

On motion of Rep. Highland, the House nonconcurred in Senate amendments to **S Sub for HB 2008** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Highland, Lunn and Winn as conferees on the part of the House.

On motion of Rep. Highland, the House nonconcurred in Senate amendments to **HB 2622** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Highland, Lunn and Winn as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **S Sub for HB 2112** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **Sub HB 2151** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Huebert, the House nonconcurred in Senate amendments to **HB 2163** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Huebert, Phillips and Alcalá as conferees on the part of the House.

On motion of Rep. Huebert, the House nonconcurred in Senate amendments to **HB 2164** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Huebert, Phillips and Alcalá as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **Sub HB 2473** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Proehl, Ryckman, Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurrred in Senate amendments to **HB 2522** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Proehl, Ryckman, Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurrred in Senate amendments to **HB 2563** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Proehl, Ryckman, Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Garber in the chair.

### COMMITTEE OF THE WHOLE

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

Recommended that **HB 2739**, **HB 2553**, **SB 392**, **SB 225**, **SB 459**, **SB 349**, **SB 362**, **SB 438** be passed.

Committee report recommending a substitute bill to **H Sub for SB 149** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for SB 63** be adopted.

Roll call was demanded on motion of Rep. Sawyer to amend **H Sub for SB 63** on page 38, in line 12, by striking the second "and";

On page 39, in line 11, after "2019" by inserting "; and

(mmmm) all sales of tangible personal property purchased by or on behalf of the assistance league of Wichita, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing services to members of the community through the provision of philanthropic projects, and all sales of any such property by or on behalf of such organization for such purpose";

On page 1, in the title, in line 3, after the period by inserting ", the assistance league of Wichita"

On roll call, the vote was: Yeas 42; Nays 78; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Ballard, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Curtis, Doll, Finney, Frownfelter, Goico, Hawkins, Helgerson, Henderson, Henry, Hibbard, Highberger, Houston, Hutton, Kuether, Lusk, Lusker, Moxley, Ousley, Pauls, Ruiz, Sawyer, Scapa, Schroeder, Scott, Tietze, Todd, Trimmer, Victors, Ward, Weber, C., Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Dove, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Gonzalez, Grosserode, Hedke, Hemsley, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, KleeB, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, F. Patton, Peck,

Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Vickrey, Waymaster, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Edmonds, Huebert, Kahrs, Kelley, R. Powell.

The motion of Rep. Sawyer did not prevail.

Also, roll call was demanded on motion of Rep. Houston to amend **H Sub for SB 63**, on page 38, in line 12, by striking the second "and";

On page 39, in line 11, after "2019" by inserting "; and

(mmmm) all sales of tangible personal property and services purchased by the Kansas DUI impact center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of helping DUI victims by reducing the traumatic effects a crash caused by an impaired driver has on individuals and their families while increasing awareness of the human consequences of vehicular crime committed under the influence of drugs and alcohol through community outreach, education and prevention, and all sales of any such property by or on behalf of the Kansas DUI impact center, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the Kansas DUI impact center, inc., for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by the Kansas DUI impact center, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling of such facilities for the Kansas DUI impact center, inc. When the Kansas DUI impact center, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the Kansas DUI impact center, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the Kansas DUI impact center, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for

any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto";

On page 1, in the title, in line 3, after "inc." by inserting ", Kansas DUI impact center, inc."

On roll call, the vote was: Yeas 37; Nays 81; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Anthimides, Ballard, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Curtis, Doll, Dove, Finney, Frownfelter, Hedke, Helgerson, Henderson, Henry, Highberger, Houston, Hutton, Kuether, Lusk, Lusker, Mason, Ousley, Ruiz, Sawyer, Scapa, Scott, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, B. Carpenter, Clark, Clayton, Concannon, Corbet, E. Davis, DeGraaf, Dierks, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hemsley, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, F. Patton, Pauls, Peck, Phillips, Proehl, Rahjes, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Schroeder, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Claeys, Edmonds, Grosserode, Hill, Kelley, R. Powell, Schwab.

The motion of Rep. Houston did not prevail and the substitute bill be passed.

On motion of Rep. Lunn, **HB 2724** be amended on page 8, following line 39, by inserting:

"New Sec. 2. (a) Each participating employer shall report to the system the amount of vacation leave and sick leave each member has accumulated and the member's rate of compensation, as of July 1, 2016. Upon request of the executive director, any state agency or participating employer shall provide such additional information as may be needed by the executive director to carry out the provisions of this section. Such report shall be made to the system by September 1, 2016.

(b) The provisions of this section shall apply to participating employers in the Kansas police and firemen's retirement system, K.S.A. 74-4951 et seq., and amendments thereto.

(c) The provisions of this section shall be part of and supplemental to the provisions of K.S.A. 74-4901 et seq., and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "system" by inserting "and systems thereunder"; in line 3, after the second semicolon by inserting "reporting requirements of participating employers;" and the bill be passed as amended.



On motion of Rep. Highberger, **SB 366** be amended on page 1, following line 16, by inserting:

"(c) This section shall not impair the right of any owner of privately owned property to enter into a voluntary agreement with a political subdivision to agree to requirements that would have the effect of controlling the amount of rent charged or the purchase price agreed upon between the parties to the transaction for the lease or purchase of privately owned property in return for grants or incentives provided by the political subdivision to the owner of privately owned property." ; and the bill be passed as amended.

Committee report to **HB 2665** be adopted.

On motion of Rep. Frownfelter to amend **HB 2665**, the motion did not prevail.

Also, on further motion of Rep. Frownfelter to amend, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Curtis to amend **HB 2665** as amended by House Committee, on page 1, in line 12, after the period by inserting "This subsection shall not be construed to prevent interior inspections of privately owned residential property, whether or not the lawful occupant or owner consents, in Wyandotte County, Kansas at the time: (1) The privately owned residential property is first licensed under a residential property licensing ordinance or resolution; or (2) a change of the lawful occupant or in ownership of residential property, licensed under a residential property licensing ordinance or resolution, occurs in Wyandotte County, Kansas. This subsection will sunset June 30, 2021."

On roll call, the vote was: Yeas 55; Nays 64; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Ballard, Barker, Becker, Boldra, Bollier, Burroughs, Campbell, Carlin, Clark, Clayton, Curtis, Dierks, Doll, Dove, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Helgerson, Henderson, Hibbard, Highberger, Highland, Hill, Hineman, Houston, Jennings, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, F. Patton, Phillips, Ruiz, Ryckman Sr., Sawyer, Schroeder, Scott, Sloan, C. Smith, S. Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barton, Billinger, Bradford, Bruchman, Carmichael, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, E. Davis, DeGraaf, Esau, Estes, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, R. Powell, Proehl, Rahjes, Read, Rhoades, Rubin, Scapa, Schwab, Schwartz, Seiwert, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Edmonds, Henry, Kleeb, Rooker, Ryckman, Suellentrop.

The motion of Rep. Curtis did not prevail and the bill be passed as amended.

Committee report to **HCR 5022** be adopted; and the resolution be adopted as amended.

Committee report to **SB 418** be adopted; and the bill be passed as amended.

Committee report to **SB 387** be adopted; and the bill be passed as amended.

Committee report to **SB 326** be adopted; and the bill be passed as amended.

Committee report to **SB 373** be adopted; and the bill be passed as amended.

Committee report to **Sub for SB 99** be adopted.

On motion of Rep. Peck to amend **Sub for SB 99**, the motion did not prevail; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 227** be adopted; and the substitute bill be passed.

Committee report to **SB 388** be adopted; and the bill be passed as amended.

Committee report to **Sub SB 323** be adopted.

On motion of Rep. O'Brien, **Sub SB 323** be amended, as amended by House Committee, on page 1, in line 5, before "Section" by inserting "New"; following line 30, by inserting:

"Sec. 2. K.S.A. 2015 Supp. 72-89d01 is hereby amended to read as follows: 72-89d01. K.S.A. 2015 Supp. 72-89d01 through 72-89d08 and section 8, and amendments thereto, shall be known and may be cited as the freedom from unsafe restraint and seclusion act.

Sec. 3. K.S.A. 2015 Supp. 72-89d02 is hereby amended to read as follows: 72-89d02. As used in K.S.A. 2015 Supp. 72-89d01 through 72-89d07, and amendments thereto:

(a) "Appointing authority" means a group of persons empowered by statute to make human resource decisions that affect the employment of officers.

(b) "Campus police officer" means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-8222, and amendments thereto.

(c) "Chemical restraint" means the use of medication to control a student's violent physical behavior or restrict a student's freedom of movement.

(d) "Commissioner" means the commissioner of education.

(e) "Complaint" means a written document that a parent files with a local board as provided for in this act.

~~(a)~~ (f) "Department" means the state department of education.

~~(b)~~ (g) "Emergency safety intervention" means the use of seclusion or physical restraint, but does not include the use of time-out.

(h) "Hearing officer" means the state department employee designated to conduct an administrative review.

(i) "Incident" means each occurrence of the use of an emergency safety intervention.

(j) "Law enforcement officer" and "police officer" means a full-time or part-time salaried officer or employee of the state, a county or a city, whose duties include the prevention or detection of crime and the enforcement of criminal or traffic law of this state or any Kansas municipality. This term includes a campus police officer.

(k) "Legitimate law enforcement purpose" means a goal within the lawful authority of an officer that is to be achieved through methods or conduct condoned by the officer's appointing authority.

(l) "Local board" means the board of education of a district or the governing body

of any accredited nonpublic school.

(m) "Mechanical restraint" means any device or object used to limit a student's movement.

~~(e)~~ (n) "Parent" means: (1) A natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-1046(d)(2), and amendments thereto; (4) a legal guardian; (5) an education advocate for a student with an exceptionality; (6) a foster parent, unless the student is a child with an exceptionality; or (7) a student who has reached the age of majority or is an emancipated minor.

(o) "Physical escort" means the temporary touching or holding the hand, wrist, arm, shoulder or back of a student who is acting out for the purpose of inducing the student to walk to a safe location. Physical escort shall not be considered an emergency safety intervention.

~~(d)~~ (p) "Physical restraint" means bodily force used to substantially limit a student's movement, except that consensual, solicited or unintentional contact and contact to provide comfort, assistance or instruction shall not be deemed to be physical restraint.

~~(e)~~ (q) "School" means any learning environment, including any nonprofit institutional day or residential school or accredited nonpublic school, that receives public funding or which is subject to the regulatory authority of the state board of education.

(r) "School resource officer" means a law enforcement officer or police officer employed by a local law enforcement agency who is assigned to a district through an agreement between the local law enforcement agency and the district.

(s) "School security officer" means a person who is employed by a board of education of any school district for the purpose of aiding and supplementing state and local law enforcement agencies in which the school district is located, but is not a law enforcement officer or police officer.

~~(f)~~ (t) "Seclusion" means placement of a student in a location where all the following conditions are met:

- (1) The student is placed in an enclosed area by school personnel;
- (2) the student is purposefully isolated from adults and peers; and
- (3) the student is prevented from leaving, or the student reasonably believes that such student will be prevented from leaving, the enclosed area.

(u) "State board" means the Kansas state board of education.

(v) "Time-out" means a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded.

Sec. 4. K.S.A. 2015 Supp. 72-89d03 is hereby amended to read as follows: 72-89d03. (a) Emergency safety interventions shall be used only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to effect such physical harm. Less restrictive alternatives to emergency safety interventions, such as positive behavior interventions support, shall be deemed inappropriate or ineffective under the circumstances by the school employee witnessing the student's behavior prior to the use of any emergency safety interventions. The use of an emergency safety-interventions intervention shall cease as soon as the immediate danger of physical harm ceases to exist. Violent action that is destructive of property may necessitate the use of an emergency safety intervention. Use of an emergency safety intervention for purposes of discipline, punishment or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

(b) A student shall not be subjected to ~~seclusion~~ an emergency safety intervention if the student is known to have a medical condition that could put the student in mental or physical danger as a result of ~~seclusion~~ the emergency safety intervention. The existence of such medical condition must be indicated in a written statement from the student's licensed health care provider, a copy of which shall be provided to the school and placed in the student's file. Such written statement shall include an explanation of the student's diagnosis, a list of any reasons why an emergency safety intervention would put the student in mental or physical danger and any suggested alternatives to the use of emergency safety interventions. Notwithstanding the provisions of this subsection, a student may be subjected to an emergency safety intervention, if not subjecting the student to an emergency safety intervention would result in significant physical harm to the student or others.

(c) When a student is placed in seclusion, a school employee shall be able to see and hear the student at all times.

(d) All seclusion rooms equipped with a locking door shall be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the seclusion room, or in cases of emergency, such as fire or severe weather.

(e) A seclusion room shall be a safe place with proportional and similar characteristics as other rooms where students frequent. Such room shall be free of any condition that could be a danger to the student, and shall be well-ventilated and sufficiently lighted.

(f) The following types of restraint shall be prohibited:

(1) Prone, or face-down, physical restraint; supine, or face-up physical restraint; physical restraint that obstructs the airway of a student; or any physical restraint that impacts a student's primary mode of communication;

(2) chemical restraint, except as prescribed treatments for a student's medical or psychiatric condition by a person appropriately licensed to issue such treatments; and

(3) mechanical restraint, except those protective or stabilizing devices either ordered by a person appropriately licensed to issue the order for the device or required by law, any device used by a certified law enforcement officer in carrying out law enforcement duties, seatbelts and any other safety equipment when used to secure students during transportation.

(g) Each local board shall develop and implement written policies to govern the use of emergency safety interventions in schools. At a minimum, written district policies shall conform to the standards, definitions and requirements of this act.

Such written policies shall include that:

(1) (A) School personnel training shall be designed to meet the needs of personnel as appropriate to their duties and potential need for the use of emergency safety interventions;

(B) training shall address prevention techniques, de-escalation techniques and positive behavioral intervention strategies;

(C) training shall be consistent with nationally recognized training programs; and

(D) schools shall maintain written or electronic documentation on training provided and lists of participants in each training for inspection by the Kansas state board of education;

(2) a local dispute resolution process shall be developed, which shall include the

following:

(A) A procedure for a parent to file a complaint with the local board. If a parent believes that an emergency safety intervention has been used on the parent's child in violation of the act, rules and regulations or the local board's emergency safety intervention policy, the parent may file a complaint within 30 days of the date on which the parent was informed of the use of the emergency safety intervention;

(B) a procedure for complaint investigation;

(C) a procedure to implement a dispute-resolution final decision. The local board's decision shall be in writing and shall include findings of fact and any corrective action required by the school if the local board deems such action necessary. The local board's final decision shall be mailed to the parent and the department within 30 days of the the local board's receipt of the complaint; and

(D) a procedure setting out the parent's right to request an administrative review by the state board, including information as to the deadline by which the parent must submit the request to the state board;

(3) a system for the collection and maintenance of documentation for each use of an emergency safety intervention as set forth in K.S.A. 2015 Supp. 72-89d04, and amendments thereto;

(4) a procedure for the periodic review of the use of emergency safety interventions at each school, which shall be compiled and submitted at least biannually to the superintendent or the superintendent's designee; and

(5) a schedule for when and how parents are provided with notice of the local board's written policies on the use of emergency safety interventions.

(h) Written policies developed pursuant to this act shall be accessible on each school's website and shall be included in each school's code of conduct, school safety plan or student handbook.

(i) (1) Campus police officers and school resource officers shall be exempt from the requirements of this act when engaged in an activity that has a legitimate law enforcement purpose.

(2) School security officers shall not be exempt from the requirements of this act.

Sec. 5. K.S.A. 2015 Supp. 72-89d04 is hereby amended to read as follows: 72-89d04. (a) (1) When a student is subjected to an emergency safety intervention, the school shall notify the parent, or if a parent cannot be notified, then shall notify an emergency contact person for such student, on the same day the emergency safety intervention was used. If the school is unable to contact the parent, the school shall attempt to contact the parent using at least two methods of contact. The same-day notification requirement of this subsection shall be deemed satisfied if the school attempts at least two methods of contact. A parent may designate a preferred method of contact to receive the same-day notification required by this subsection. A parent may agree, in writing, to receive only one same-day notification from the school for multiple incidents occurring on the same day. Written documentation of the use of an emergency safety interventions used intervention shall be completed and provided to the parent no later than the school day following the day on which the emergency safety intervention was used. Such written documentation shall include: (A) The events leading up to the incident; (B) student behaviors that necessitated the emergency safety intervention; (C) steps taken to transition the student back into the educational setting; (D) the date and time the incident occurred, the type of emergency safety intervention used, the duration

of the emergency safety intervention and the school personnel who used or supervised the emergency safety intervention; (E) space or an additional form for parents to provide feedback or comments to the school regarding the incident; (F) a statement that invites and strongly encourages parents to schedule a meeting to discuss the incident and how to prevent future use of emergency safety interventions; and (G) email and phone information for the parent to contact the school to schedule the emergency safety intervention meeting. Schools may group incidents together when documenting the items in subparagraphs (A), (B) and (C) if the triggering issue necessitating the emergency safety interventions is the same.

(2) The parent shall be provided the following information after the first incident in which an emergency safety intervention is used during the school year, and may be provided such information after each subsequent incident that occurs during the school year: ~~(1) (A) A copy of the standards of when emergency safety interventions can be used; (2) (B) a flyer on the parent's rights; (3) (C) information on the parent's right to file a complaint through the local dispute resolution process and the complaint process of the state board of education; and (4) (D) information that will assist the parent in navigating the complaint process, including contact information for the parent training and information center and protection and advocacy system. Upon the first occurrence of an incident involving the use of emergency safety interventions, the parent shall be provided the foregoing information in printed form, and or upon the parent's written request, by email. Upon the occurrence of a second or subsequent incident, the parent shall be provided with a full and direct website address containing such information.~~

(b) If a parent believes emergency safety interventions have been used in violation of this act, rules and regulations adopted pursuant thereto or policies of the school district, then within 30 days from being informed of the use of emergency safety intervention, such parent may file a complaint through the local dispute resolution process. A parent may file a complaint under the state board of education complaint process within 30 days from the date a final decision is issued pursuant to the local dispute resolution process. If a school is aware that a law enforcement officer or school resource officer has used seclusion, physical restraint or mechanical restraint on a student, the school shall notify the parent the same day using the parent's preferred method of contact. A school shall not be required to provide written documentation to a parent, as set forth in subsection (a)(1) regarding law enforcement use of an emergency safety intervention, or report to the department law enforcement use of an emergency safety intervention. For purposes of this subsection, mechanical restraint includes, but is not limited to, the use of handcuffs.

(c) The department shall compile reports from schools on the use of emergency safety interventions and provide the results based on aggregate data on the department website, and to the governor and the committees on education in the senate and the house of representatives by January 20, 2016, and annually thereafter. The department's reported results shall include, but shall not be limited to, the following information:

(1) The number of incidents in which emergency safety interventions were used on students who have an individualized education program;

(2) the number of incidents in which emergency safety interventions were used on students who have a section 504 plan;

(3) the number of incidents in which emergency safety interventions were used on students who do not have an individualized education program or a section 504 plan;

- (4) the total number of incidents in which emergency safety interventions were used on students;
- (5) the total number of students with behavior intervention plans subjected to an emergency safety intervention;
- (6) the number of students physically restrained;
- (7) the number of students placed in seclusion;
- (8) the maximum and median number of minutes a student was placed in seclusion;
- (9) the maximum number of incidents in which emergency safety interventions were used on a student;
- (10) the information reported under subsection (c)(1) through (c)(3) ~~reported by~~ the school to the extent possible;
- (11) the information reported under subsections (c)(1) through (c)(9) aggregated by age and, ethnicity, gender and eligibility for free and reduced lunch of the students on a statewide basis; and
- (12) such other information as the department deems necessary to report.

Sec. 6. K.S.A. 2015 Supp. 72-89d05 is hereby amended to read as follows: 72-89d05. ~~(a) If there is a third incident involving the use of emergency safety interventions within a school year on~~ After each incident, a parent may request a meeting with the school to discuss and debrief the incident. A parent may request such meeting verbally, in writing or by electronic means. A school shall hold a meeting requested under this subsection within 10 school days of the parent's request. The focus of any meeting convened under this subsection shall be to discuss proactive ways to prevent the need for emergency safety interventions and to reduce incidents in the future.

(1) For a student who has an individualized education program or a section 504 plan, then such student's individualized education program team or section 504 plan team shall meet within 10 days after such third incident to discuss the incident and consider the need to conduct a functional behavioral analysis, develop a behavior intervention plan or amend either if already in existence, unless the individualized education program team or the section 504 plan team has agreed on a different process. For a student with a section 504 plan, such student's section 504 plan team shall discuss and consider the need for an evaluation under the special education for exceptional children act, K.S.A. 72-961 et seq., and amendments thereto. For students who have an individualized education program and are placed in a private school by a parent, a meeting called under this subsection shall include the parent and the private school, who shall consider whether the parent should request an individualized education program team meeting. If the parent requests an individualized education program team meeting, the private school shall help facilitate such meeting.

~~(b) If there is a third incident involving the use of emergency safety interventions within a school year on a student who is not described in subsection (a), then a meeting between such student's parent and school employees shall be conducted within 10 days after such third incident to~~

(2) For a student who does not have an individualized education program or section 504 plan, the parent and school shall discuss the incident and consider the appropriateness of a referral for an evaluation under the special education for exceptional children act, K.S.A. 72-961 et seq., and amendments thereto, the need for a functional behavioral analysis or the need for a behavior intervention plan. Any meeting

called pursuant to this subsection shall include the student's parent, a school administrator for the school where the student attends, one of the student's teachers, a school employee involved in the incident and such other school employees designated by the school administrator as appropriate for such meeting.

~~(b)~~ The parent shall determine whether the student shall be invited to any meeting called pursuant to this section.

~~(c)~~ The time for calling a meeting pursuant to this section shall be extended beyond the 10-day 10-school-day limit if the parent of the student is unable to attend within that time period.

~~(d)~~ Nothing in this section shall be construed to prohibit the development and implementation of a functional behavioral analysis or a behavior intervention plan for any student if such student may benefit from such measures but has had less than three incidents involving emergency safety interventions within a school year.

Sec. 7. K.S.A. 2015 Supp. 72-89d06 is hereby amended to read as follows: 72-89d06. The state board of education shall adopt rules and regulations as necessary to implement the provisions of this act on or before March 1, ~~2016~~ 2017. Such rules and regulations shall include, but not be limited to, the exact statutory language for the standards for the use and reporting and other requirements of emergency safety interventions as provided in K.S.A. 2015 Supp. 72-89d02 through 72-89d05, and amendments thereto.

New Sec. 8. (a) Any parent who has filed a written complaint with a local board regarding the use of an emergency safety intervention may request an administrative review by the state board of the local board's final decision.

(b) Each parent seeking administrative review shall provide the following information in the request:

- (1) The name of the student and the student's contact information;
- (2) the name and contact information, to the extent known, for all involved parties, including teachers, aides, administrators and district staff;
- (3) a detailed statement of the basis for seeking administrative review, with all supporting facts and documentation. The documentation shall include a copy of the complaint filed with the local board and shall include the local board's final decision, if issued. The request shall be legibly written or typed and shall be signed by the parent. Relevant written instruments or documents in the possession of the parent shall be attached as exhibits or, if unavailable, referenced in the request for administrative review; and

(4) written consent to disclose any personally identifiable information from the student's education records necessary to conduct an investigation pursuant to this act.

(c) (1) Each request for administrative review shall be filed with the commissioner within 30 days from the date a final decision is issued, pursuant to the local dispute-resolution process or, if a final decision is not issued, within 60 days from the date a written complaint was filed with the local board.

(2) The hearing officer shall forward a copy of the request for administrative review to the clerk of the local board from whom the administrative review is sought.

(d) Upon receipt of each request for administrative review, the hearing officer shall consider the local board's final decision and may initiate its own investigation of the complaint. Any investigation may include the following:

- (1) A discussion with the parent, during which additional information may be



gathered and specific allegations identified, verified and recorded;

(2) contact with the local board or other district staff against which the request for administrative review is filed, to allow the local board to respond to the request with facts and information supporting the local board's final decision; and

(3) an on-site investigation by department officers or employees.

(e) If the hearing officer receives information that the hearing officer determines was not previously made available to both parties during the local board's dispute-resolution process, the hearing officer may remand the issue back to the local board. The local board then has 30 days to issue a written amended final decision. Upon remand, the hearing officer's case will be closed. All rights to and responsibilities of an administrative review shall begin again when the local board's amended final decision is issued or 30 days from when the hearing officer's remand is issued, whichever occurs first.

(f) Within 60 days of the commissioner's receipt of the request for administrative review, the hearing officer shall inform the parent, the school's head administrator, the district superintendent, the local board clerk and the state board, in writing, of the results of the administrative review. This time frame may be extended for good cause upon approval by the commissioner.

(g) The results of the administrative review shall contain findings of fact, conclusions of law, and, if needed, suggested corrective action. The hearing officer shall determine whether the district is in violation of this act based solely on the information obtained by the hearing officer during the course of the investigation and the administrative review process. This determination shall include one of the following:

(1) The local board appropriately resolved the complaint pursuant to its dispute-resolution process;

(2) the local board should reevaluate the complaint pursuant to its dispute-resolution process with suggested findings of fact; and

(3) the hearing officer's suggested corrective action is necessary to ensure that local board policies meet the requirements of law.

(h) Nothing in this section shall require exhaustion of other remedies before using the procedures or seeking remedies that are otherwise available.

Sec. 9. K.S.A. 2015 Supp. 72-89d08 is hereby amended to read as follows: 72-89d08. The provisions of K.S.A. 2015 Supp. ~~72-89d01 through 72-89d08~~ 72-89d05 and 72-89d07 and section 8, and amendments thereto, shall expire on June 30, 2018.

Sec. 10. K.S.A. 2015 Supp. 72-89d01, 72-89d02, 72-89d03, 72-89d04, 72-89d05, 72-89d06 and 72-89d08 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "school districts" and inserting "schools; relating to standards and requirements for the treatment of students; restraint and seclusion of students"; in line 2, after "personnel" by inserting "; amending K.S.A. 2015 Supp. 72-89d01, 72-89d02, 72-89d03, 72-89d04, 72-89d05, 72-89d06 and 72-89d08 and repealing the existing sections" ; and the bill be passed as amended.

Committee report to **HB 2483** be adopted; and the bill be passed as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Education** recommends **HB 2292** be amended by substituting a new bill as recommended by the House Committee on Education as reported in the Journal of the House on February 18, 2016, and the substitute bill be amended by substituting a new bill to be designated as "Substitute for Substitute for HOUSE BILL NO. 2292," as follows:

"Substitute for Substitute for HOUSE BILL NO. 2292

By Committee on Education

"AN ACT concerning schools; relating to curriculum standards; amending K.S.A. 2015 Supp. 72-6479 and repealing the existing section.";

And the substitute bill be passed.

(**Sub for Sub HB 2292** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **SB 280**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 280," as follows:

"House Substitute for SENATE BILL NO. 280

By Committee on Taxation

"AN ACT concerning property taxation; relating to powers of taxing jurisdictions; valuation, appeals, procedure; ratio study, presentation to county commissioners, exemptions; bed and breakfasts; oil and gas leases, determination of value of production, evidence; county appraisers, persons eligible; market study analysis; tax liens, extinguishment; delinquent real property taxes, interest rate, claims against the county; amending K.S.A. 3-114, 12-1688, 19-432, 19-3557, 19-3617, 19-3622, 27-322, 27-333, 79-504, 79-1412a, 79-1456, 79-1460a, 79-1490, 79-2011, 80-1520 and 80-1548 and K.S.A. 2015 Supp. 12-1927, 12-1928, 12-1936, 27-323, 74-2426, 74-2433, 74-2438, 77-618, 79-331, 79-425a, 79-503a, 79-1439, 79-1448, 79-1460, 79-1476, 79-2004, 79-2005 and 79-2026 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 280** was thereupon introduced and read by title.)

**MESSAGES FROM THE SENATE**

The Senate nonconcur in House amendments to **H Sub for SB 255**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 367**, requests a conference and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 255**.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 367**.

Speaker Merrick thereupon appointed Reps. Gonzalez, Finch and Highberger as conferees on the part of the House.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **HB 2480** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **HB 2490** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

#### **CHANGE OF CONFEREES**

Speaker Merrick announced the appointment of Reps. Ryckman, Schwartz and Henry to replace Reps. Brunk, Couture-Lovelady and Tietze as conferees on **HB 2268**.

#### **INTRODUCTION OF ORIGINAL MOTIONS**

On emergency motion of Rep. Vickrey pursuant to House Rule 2311, **H Sub for SB 245** was advanced to Final Action on Bills and Concurrent Resolutions.

#### **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**H Sub for SB 245**, AN ACT concerning memorial signs; relating to a DUI memorial signage program; enacting the Kyle Thornburg and Kylie Jobe believe act; duties of the secretary of transportation, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, 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, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

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Present but not voting: None.  
Absent or not voting: Edmonds.  
The substitute bill passed.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6051, HR 6052** reported correctly enrolled and properly signed on March 21, 2016.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Tuesday, March 22, 2016.

BECKIE HENDRICKS, JENNY HAUGH, *Journal Clerks*.

SUSAN W. KANNARR, *Chief Clerk*.

