

# Journal of the House

## FORTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 20, 2017, 11:00 a.m.

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

The roll was called with 118 members present.

Reps. Alford, Deere and Highland were excused on verified illness.

Reps. Arnberger, Holscher, Schwab and Wilson were excused on excused absence by the Speaker.

Prayer by guest chaplain, Father Kerry Ninemire, Seven Dolores Church, Manhattan, and guest of Rep. Carlin:

Lord God, we gather in this Capitol building today, on this very beautiful but dry first day of spring. We are conscious that many Kansans may not be in the State today: many are on Spring Break and others following one of our three successful basketball teams. Pray for their safe travel.

But our Representatives are here because their work is too important to take a break, whether it is how to best fund the education of our youth and young adults, how to balance a budget and still care for those at risk, and so much more.

We pray for these legislators, Lord.

Grant them the grace of wisdom to best discern, the grace of courage to be unpopular for the greater cause and the graces of faith and hope when they are discouraged or feeling hopeless. May all that is done this day be for Your greater honor and glory. Amen.

The Pledge of Allegiance was led by Rep. Burroughs.

### INTRODUCTION OF GUESTS

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

Garden City High School excels in areas too many to mention. I must mention Garden City High School is my Alma Mater, and I am proud to be a Garden City High School 2016 Inductee in the High School Hall of Fame. I only say that to indicate how proud I am of my school and the students who have had and now have the privilege to

learn and experience the great things the school has to offer.

Today I have the honor of recognizing the Garden City High School Ladies Bowling Team for being the winner of the 2017 6A State Championship! This Championship win is not only the first in the program history, but also the first State Championship win by a Ladies program in Garden City High School history.

As a team, these young ladies set a new bowling program record with their team score of 2431 and broke a record they had previously set with a 2425 the week prior to the State Tournament. Also as a team, this group of young women captured the 6A State Championship, were Regional Runner-ups with Alexis Leon capturing both the regional runner-up and State runner-up titles, as well as the individual title at the Great Plains High School Invitational Tournament, and were the 2017 Western Athletic Conference Champions.

This 2017 State Champion team consists of: Madison Farr, Senior and Captain; Karly Larson, Freshman; Angelina Leeper, Freshman; Alexis Leon, Sophomore; Faith Whited, Sophomore; and Ryleigh Whitehurst, Sophomore.

The Garden City High School team also includes a dedicated staff of: Head Coach Kip Nichols and Assistant Coach Bethany Howard. Please join me in recognizing and congratulating the Garden City High School 2017 State Champion Ladies Bowling team and their coaches.

Rep. Wheeler presented the team with a House certificate.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2405**, AN ACT concerning the senior care act; elder care services; establishing the senior care benefit fund; relating to litter control; requiring certain beverage containers to be redeemable; establishing the container deposit fund, by Committee on Appropriations.

## **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill appearing on the Calendar as “to be referred,” was referred to committee as indicated:

Appropriations: **SB 94**.

## **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Agriculture: **SB 117**.

Appropriations: **HB 2402, HB 2403**.

Commerce, Labor and Economic Development: **SB 55**.

Education: **SB 174**.

Federal and State Affairs: **HB 2401, SB 70, SB 83, SB 85**.

Financial Institutions and Pensions: **SB 137**.

Health and Human Services: **SB 95**.

Judiciary: **SB 184**.

Local Government: **HB 2404**.

Taxation: **HB 2399, HB 2400, SB 96, SB 130**.

**CHANGE OF REFERENCE**

Speaker Ryckman announced the withdrawal of **HB 2391** from Committee on Federal and State Affairs and referral to Committee on Judiciary.

**MESSAGE FROM THE GOVERNOR**

March 15, 2017

*Message to the House of Representatives of the State of Kansas:*

Enclosed herewith is Executive Directive No. 17-478 for your information.

EXECUTIVE DIRECTIVE No. 17-478  
Concerning Authorizing Expenditure of Federal Funds

Sam Brownback  
*Governor*

The above Executive Directive is on file and open for inspection in the office of the Chief Clerk.

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

On motion of Rep. Mason, **HR 6014**, A RESOLUTION recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan, was adopted.

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

This morning, we will vote on the adoption of HR 6014, "Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan."

Why is this recognition important? In 2014, Kansas' exports to Taiwan reached \$185 million, which was a 44% increase from two years earlier, and Taiwan is Kansas' 5th largest export market in Asia. Well over half of that total came from the agribusiness and food sectors. The balance of that, of course, was from other industrial sectors.

Taiwan regularly dispatches procurement missions to the U.S. to sign major supply deals. Kansas farms and factories alike, are well poised to benefit from increasing Taiwanese demand for U.S. products.

With us, this morning, is Director General Jerry Chang, from the Taipei Economic and Cultural Office in Denver. Mr. Chang has an impressive resume in government service to his nation. His career spans nearly 25 years, and includes assignments in Singapore, Hungary, and New York, to name a few. Rep. Mason also introduced Forster Lee, Director, also of the Taipei Economic and Cultural Office.

Please join me, this morning, in a warm welcome for our honored guests.

**CONSENT CALENDAR**

No objection was made to **SB 15**, **SB 100**, **SB 166** appearing on the Consent Calendar for the second day.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**Sub HB 2331**, AN ACT concerning information systems and communications; creating the representative Jim Morrison cybersecurity act; relating to digital information security for Kansas executive branch agencies; establishing the Kansas information security office; establishing the cybersecurity state fund and cybersecurity state grant fund in the state treasury; creating the Kansas information technology enterprise; relating to consolidation and transfer of certain executive branch information technology staff, resources, functions and powers; amending K.S.A. 2016 Supp. 12-5364, 74-9302, 74-9304, 74-9306, 74-99f04, 74-99f06, 74-99f08, 75-3707e, 75-4701, 75-4703, 75-4704, 75-4704a, 75-4704b, 75-4705, 75-4709, 75-4718, 75-4719, 75-6512, 75-7201, 75-7202, 75-7204, 75-7205 and 75-7224 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 75-4702 and 75-4702c, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 28; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Good, Hawkins, Hibbard, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Markley, Mason, Mastroni, Murnan, Neighbor, Orr, Osterman, Parker, F. Patton, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whipple, Whitmer, K. Williams.

Nays: Alcala, Carmichael, Crum, S., Curtis, Finney, Frownfelter, Gartner, Helgerson, Henderson, Highberger, Hodge, Kuether, Lusk, Lusker, Miller, Ohaebosim, Ousley, Phelps, Ruiz, Sawyer, Stogsdill, Terrell, Trimmer, Victors, Ward, Weigel, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Alford, Arnberger, Deere, Highland, Holscher, Schwab, Wilson. The substitute bill passed, as amended.

**EXPLANATION OF VOTE**

MR. SPEAKER: I fully support the cybersecurity measure included in **Sub HB 2331** and agree in concept to the centralization of IT services however, due to a lack of a roadmap for the implementation, clarity on which employees will be impacted and assurances that centralizing services will protect uniformity and access to IT services, I vote no on **Sub HB 2331**. – PAM CURTIS, JOHN CARMICHAEL

**H Sub for SB 60**, AN ACT concerning agriculture; relating to the Kansas department of agriculture; certain fees; authorizing the Kansas secretary of agriculture to collect a fee for processing paper documents; amending K.S.A. 74-576 and K.S.A. 2016 Supp. 2-1205, 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304, 2-3306, 65-778, 65-781, 82a-303b, 82a-708a, 82a-708b, 82a-708c, 82a-714 and 82a-727 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 94; Nays 24; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Campbell, Carlin, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Francis, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore.

Nays: Awerkamp, Burroughs, Carmichael, B. Carpenter, Corbet, DeGraaf, Delperdang, Esau, Finney, Garber, Hawkins, Huebert, Jacobs, K. Jones, Kuether, Landwehr, Mason, Osterman, R. Powell, Sutton, Ward, Weber, C., Whipple, Whitmer.

Present but not voting: None.

Absent or not voting: Alford, Arnberger, Deere, Highland, Holscher, Schwab, Wilson.

The substitute bill passed.

**SB 65**, AN ACT concerning alcoholic beverages; pertaining to alcoholic liquors pledged as collateral; relating to sale by creditors thereof; amending K.S.A. 41-1125 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Alford, Arnberger, Deere, Highland, Holscher, Schwab, Wilson.

The bill passed, as amended.

**SB 66**, AN ACT concerning state boards, commissions and authorities; relating to the state banking board; terms of service; amending K.S.A. 74-3004 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 1; Present but not voting: 0; Absent or not voting: 7.

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

Nays: Jacobs.

Present but not voting: None.

Absent or not voting: Alford, Arnberger, Deere, Highland, Holscher, Schwab, Wilson.  
The bill passed.

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

On motion of Rep. Waymaster, the House nonconcurred in Senate amendments to **S Sub for Sub HB 2052** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Waymaster, E. Davis and Wolfe Moore as conferees on the part of the House.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Frownfelter to replace Rep. Deere on Committee on Agriculture on March 20, 2017.

Also, the appointment of Rep. Ward to replace Rep. Holscher on Committee on Health and Human Services on March 20, 2017.

#### **REPORT ON ENGROSSED BILLS**

**Sub HB 2331** reported correctly engrossed March 17, 2017.

**HB 2387** reported correctly re-engrossed March 17, 2017.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HCR 5012, HR 6019, HR 6022** reported correctly enrolled and properly signed on March 20, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, March 21, 2017.

BECKIE HENDRICKS, JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

