

Journal of the House

FIFTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 30, 2017, 10:00 a.m.

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

The roll was called with 124 members present.

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

Prayer by Chaplain Brubaker:

Creator God,
thank You for another day You have given us.
Thank You for this rain that we have needed.
I ask for Your blessing upon this body today.
Although You are never far,
the busyness of their responsibilities
may make them sense You are distant.
Frustrations, fears, worries, and pressures
can sometime block Your guidance
and make them feel overwhelmed.
I ask that You replace these with humility, perseverance,
integrity, diligence and an openness to new possibilities.
In Christ's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Sutton.

INTRODUCTION OF GUESTS

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

As an alumnus of Hutchinson Community College, I want to share my pride with my legislative family.

Last Saturday evening while watching the Kansas Jayhawks, I was listening to my HCC Blue Dragons play Eastern Florida State College in the Hutchinson Sports Arena. While the outcome of the Jayhawks' game was disappointing, the disappointment was tempered when my Blue Dragons drained that East Florida swamp by 26 points!! In doing so they ended their season with a 35-2 record and the NJCAA 2017 National Championship.

It is spring break at HCC this week and many of the student athletes are home. Those coming to Topeka today to allow me this personal privilege are: James Conley, Trent Webster and Tiyler Cotton, team players; Cody Baker, team manager; Steve Eck, Head Coach; Jay Cyriac and Cortland Carney, Assistant Coaches; Carter File, President; Josh Gooch, Athletic Director, Denny Stoecklein, Director of Marketing; Steve Kappenman, Assistant Athletic Director; Steve Carpenter, Transportation and Sports Information and Scott Brooks, Administrative Assistant to the athletic director.

I invite all of you to help me congratulate the team on this accomplishment.

Rep. Becker presented the team with a framed House certificate.

INTRODUCTION OF GUESTS

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

Today we have the privilege to honor two couples with the Kansas Humanitarian Award for 2016. Lieutenant Governor, Dr. Jeff Colyer, started The Kansas Humanitarian Commission in 2015 with the goal to empower Kansas citizens and businesses to serve their communities, meet local and global humanitarian needs, and promote a spirit of service through dialogue, acts and commerce.

The Commission, which is made up of community leaders from throughout the state, went on a search across the state to carefully choose the inaugural recipients of the Kansas Humanitarian Award, and they found three very worthy candidates.

You may recall that two weeks ago we honored Dr. Luther Frye from Garden City. Today we have the great honor to meet and congratulate the other two recipients, who are Kansans that selflessly aim to improve the lives of others.

They are: Dr. Shaker and Mrs. Kathi Dakhil, from Wichita. Dr. Dakhil, a renown oncologist, devoted his career to treating cancer patients and launched the Wichita Cancer Foundation for benefit of patients struggling to afford health care. The Dakhils have generously given their time and resources to countless organizations for education, to help alleviate poverty, for orphans, their church, and many more. A source said Dr. Dakhil lives by the Bible verse in Luke 12:48 which says “from everyone who has been given much, much will be demanded; and from the one who has been entrusted with much, much more will be asked.”

Mr. Jack and Mrs. Marilyn DeBoer from Wichita. The DeBoers, world renown entrepreneurs, took a trip around the world in 1988 to assess the world situation. They then dedicated their lives to relieving the effects of poverty in Myanmar through the DeBoer Foundation and through partnership with World Vision. In addition, the DeBoers have tirelessly served on countless boards and civic groups, especially focusing on advancing principles of democracy and business entrepreneurship with the goal of alleviating social, health, financial, and physical needs.

The Kansas Humanitarian Commission and our Lt. Gov. hopes this annual award will inspire others to service and follow in the footsteps of these great Kansans who give back so much to their communities. Join me in honoring these very worthy Kansas Humanitarians!

Rep. Humphries presented framed House certificates to the Dakhils and the DeBoers.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2416, AN ACT concerning income taxation; relating to credits; certain purchases of goods and services from qualified vendors that provide employment to individuals who are blind or severely disabled; qualifications, procedures and limitations, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was referred to committee as indicated:
Taxation: **HCR 5013**.

MESSAGES FROM THE GOVERNOR

HB 2109 has been signed into law and approved March 28, 2017.

HB 2192 has been signed into law and approved March 29, 2017.

MESSAGES FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2044**, AN ACT concerning the department of health and environment; establishing the KanCare bridge to a healthy Kansas program; concerning clubhouse-based psychosocial rehabilitation programs, was received and read.

MESSAGE FROM THE GOVERNOR**REGARDING VETO OF HOUSE BILL 2044**

I have long maintained three criteria for evaluating Medicaid expansion under Obamacare. Any attempt to expand this entitlement program should include a plan to eliminate the inherited waiting list for services to our disabled community, include work requirements to help Kansans escape poverty, and have a neutral impact on the state budget. This bill does not meet those requirements. Additionally, I am disappointed this bill will lead to an increase in funding for Planned Parenthood.

The most effective welfare program is one that helps people find a good paying job, escape poverty, and gain economic security. This bill's work component is nothing more than a work referral program, which will not lead to real employment gains for low income families. A true work requirement, as currently exists in the TANF and SNAP programs, would encourage and assist low-income able-bodied Kansans in receiving the educational and employment opportunities they deserve. We cannot help our citizens build better lives without also incentivizing them to find a permanent path out of poverty.

Prior administrations created and expanded waitlists for Kansans with disabilities. Over the course of my administration, I have worked to reduce the disability waitlist for these services. Yet, instead of continuing this critical work, HB 2044 prioritizes service for able-bodied adults without dependents instead of members of the disability community who need services now.

The cost of expanding Medicaid under ObamaCare is irresponsible and unsustainable. A recent third party study from Aon Hewitt estimates that expansion will cost Kansas taxpayers over \$1.2 billion from the state general fund over the coming years. In fact, states that have expanded have seen cost overruns of 110 percent or more than double the projection of enrollees. This bill is not budget neutral, instead placing a burden on the budget of unrestrainable costs.

Furthermore, this legislation ensures a significant increase in state and federal Medicaid dollars funneled towards abortion providers like Planned Parenthood. Kansas is a pro-life state, respecting the value and dignity of each unique human life. Our citizens do not want their tax dollars supporting organizations that are antithetical to human dignity. We cannot and will not support this legislation that continues to fund organizations that undermine a culture of life.

Finally, it is unwise to undertake such a drastic change to our Medicaid system in Kansas while our partners in Washington D.C. continue working to overhaul the Affordable Care Act. Congressional actions indicate there are many changes to Medicaid on the horizon. Despite lack of Congressional action last week, The White House and House Leadership have restarted negotiations on legislation to repeal the Affordable Care Act. These changes may impact many aspects of the Kansas Medicaid program, and attempting to overhaul our current system while these changes are still being worked out is potentially harmful to our state.

Accordingly, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto House Bill 2044.

Dated: March 30, 2017

SAM BROWNBACK
Governor of Kansas

On motion of Rep. Concannon, the House proceeded to reconsider **HB 2044**, AN ACT concerning the department of health and environment; establishing the KanCare bridge to a healthy Kansas program; concerning clubhouse-based psychosocial rehabilitation programs.

On motion of Rep. Ward to adjourn, the motion did not prevail. Also, on motion of Rep. Whipple to adjourn until Monday, April 3, 2017, at 11:00 a.m., the motion did not prevail. Also, on motion of Rep. Jennings to lay the question on the table, the motion prevailed.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2096** and has appointed Senators Petersen, Doll and Pettey as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 46**, requests a conference and has appointed Senators Kerschen, Estes and Francisco as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 40**, requests a

conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 50**, requests a conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 89**, requests a conference and has appointed Senators Petersen, Doll and Pettey as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub SB 101**, requests a conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 124**, requests a conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub for SB 40**.

Speaker pro tem Schwab thereupon appointed Reps. Finch, Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 46**.

Speaker pro tem Schwab thereupon appointed Reps. Hoffman, Thompson and Carlin as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 50**.

Speaker pro tem Schwab thereupon appointed Reps. Finch, Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 89**.

Speaker pro tem Schwab thereupon appointed Reps. Proehl, Francis and Lusker as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub SB 101**.

Speaker pro tem Schwab thereupon appointed Reps. Finch, Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 124**.

Speaker pro tem Schwab thereupon appointed Reps. Finch, Patton and Carmichael as conferees on the part of the House.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2319, AN ACT concerning abortion; relating to the woman's-right-to-know act; relating to certain physician information to be disclosed; amending K.S.A. 2016 Supp. 65-6709 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 37; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, Crum, S., E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Frownfelter, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Miller, Orr, Osterman, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams.

Nays: Alcala, Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Curtis, Finney, Gartner, Helgerson, Henderson, Highberger, Holscher, Kessinger, Koesten, Kuether, Lusk, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Rooker, Ruiz, Sawyer, Sloan, Stogsdill, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: Women facing a crisis pregnancy should have as much information as possible as they make a life-changing decision. The U.S. Supreme Court has said that informed consent for elective abortion deserves special care and thoughtfulness. This bill is about transparency and disclosure. As legislators today we have the opportunity to help women get more easily accessible information that is reasonable, relevant, and honest. For the sake of all involved—the mother, the unborn child, and the father—We vote yes on **HB 2319**. SUSAN HUMPHRIES, RON HIGHLAND, DOUG BLEX, CHUCK WEBER, RANDY POWELL, KEVIN JONES, WILLIE DOVE, JOHN EPLEE, JIM KELLY, LESLIE OSTERMAN, JOHN WHITMER, BRENDA LANDWEHR, KEN RAHJES, TREVOR JACOBS, RON ELLIS, FRANCIS AWERKAMP, JOHN RESMAN, SEAN TARWATER, ADAM SMITH, LES MASON, KEITH ESAU

MR. SPEAKER: Thank you. A ruling in 2016 by the US Supreme Court stated “states cannot place burdens on women's healthcare providers that are medically unnecessary or do not meaningfully protect a woman's health and safety.” Also, any individual can access information on hospitals and doctors on the internet at any time. Today, I vote “No” on **HB 2319**. CINDY NEIGHBOR

MR. SPEAKER: The Legislature needs to give up its obsession with shaming women and doctors, and instead, work on preventing unintended pregnancies with birth control and sex education, so we won't be sitting here worrying about font sizes. I vote no on **HB 2319**. PONKA-WE VICTORS

MR. SPEAKER: Making sure a woman is informed of her doctor's practices and qualifications prior to a life-changing procedure allows for an additional degree of caution and an additional opportunity to reflect on this life-changing decision. This bill allows for additional transparency and consideration during what is often a very difficult time for a woman. Therefore, I vote aye on **HB 2319**. KRISTEY WILLIAMS, ERIN DAVIS

HB 2362, AN ACT concerning the department of revenue; relating to the division of alcoholic beverage control; fees; establishing the alcoholic beverage control modernization fee and the alcoholic beverage control modernization fund; sunset of the fee; amending K.S.A. 2016 Supp. 41-317 and 41-2606 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 28; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Arnberger, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Corbet, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Finney, Francis, Gartner, Good, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Thompson, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Aurand, B. Carpenter, Claeys, Cox, DeGraaf, Dove, Esau, Frownfelter, Garber, Hawkins, Helgerson, Henderson, Hibbard, Houser, Jacobs, Landwehr, Lusker, Mason, Osterman, Pittman, R. Powell, Seiwert, Sutton, Terrell, Thimesch, Trimmer, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed, as amended.

HB 2391, AN ACT concerning driving; relating to driving under the influence and other driving offenses; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions; amending K.S.A. 2016 Supp. 8-1015, 12-4516 and 21-6614 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 12-4516e, 21-6614g and 21-6614h, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Arnberger, 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, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, 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, Schwab, 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, Wilson, Winn, Wolfe Moore.

Nays: Kuether.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed.

HR 6016, A RESOLUTION recognizing that pornography is a public health hazard that leads to a broad spectrum of individual and public health impacts and societal harms, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, 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, Schwab, 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, Wilson, Winn, Wolfe Moore.

Nays: Carmichael.

Present but not voting: None.

Absent or not voting: Gallagher.

The resolution was adopted.

EXPLANATION OF VOTE

MR. SPEAKER: I vote “No” on House Resolution 6016. My vote today should not be interpreted as an endorsement of “pornography.” Rather, my vote is one in support of the First Amendment. The price of freedom is high, but it is a price worth the cost. I therefore, vote “No” on **HR 6016**. – JOHN CARMICHAEL

SB 55, AN ACT concerning public construction contracts; relating to performance and payment bonds; Kansas fairness in public construction contract act, 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: Alcalá, Alford, Arnberger, 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, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, 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, Schwab, 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, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed.

Sub SB 85, AN ACT concerning healthcare; relating to withholding cardio-pulmonary resuscitation from unemancipated minors; information requirements; refusal of consent, exceptions; dispute resolution, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 3; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, 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, Schwab, 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, Wilson, Winn, Wolfe Moore.

Nays: Carmichael, Highberger, Kuether.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: Simon Crosier's rights were violated, his parents were denied their parental rights. Someone else decided their son's life didn't have value. Care was withheld, a DNR was ordered, without their knowledge or consent. Ultimately, their wishes were ignored and Simon's death was expedited. By voting YES for SB 85 we hope to lend our voices to those most vulnerable children who cannot speak for themselves. Simon's Law gives us a chance to do just that, to ensure that life and death decisions are made by parents not strangers. Mr. Speaker, we vote YES on **SB 85**. — JOHN WHITMER, BLAKE CARPENTER, LEO DELPERDANG, RANDY POWELL, RON ELLIS, KENT THOMPSON, KYLE HOFFMAN, CHUCK WEBER, JOHN R. EPLEE, SUSAN HUMPHRIES, DOUG BLEX, LESLIE OSTERMAN, KEN RAHJES, SEAN E. TARWATER, WILLIE DOVE, KEITH ESAU, JOHN RESMAN, GREG LAKIN, DANIEL R. HAWKINS, STEVE HUEBERT, TROY WAYMASTER, RON RYCKMAN, BRENDA

K. LANDWEHR, ADAM SMITH, FRANCIS AWERKAMP, LES MASON

MR. SPEAKER: Today I voted yes for **SB 85** (Simon's Law). The postcards, sponsored ads, emails, and 2018 election do not concern me. Doing the right thing is what matters to me. Little blessings like Simon may be on Earth for a matter of minutes, hours, or years. These vulnerable babies are not yet able to speak for themselves and I feel that their parents are their voices, NOT the doctors. We may not know the reason for the brevity of a baby's life, but there is a reason. Simon's life taught an important lesson and my hope is that we learn from this and make changes. – SHELEE BRIM

MR. SPEAKER: I vote Yes on **SB 85**. I sincerely believe that one of government's most essential and valuable responsibilities is to protect the life of its weakest and most vulnerable citizens, and that is the life of a child. That is why, I voted "Yes" for SB 85, or more respectfully known as "Simon's Law." In the Hebrew language, Simon means "to listen or to hear." I have heard the cry for help and for justice. I stand for the sanctity of life and I will always respond to the cry for help, as long as I live, so help me God. – TREVOR JACOBS

SB 149, AN ACT concerning the attorney general; relating to briefs in a criminal matter or postconviction case in the supreme court or court of appeals; legal representation charges; legal services; creating the attorney general's state agency representation fund, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, 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, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, 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, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Frownfelter, Ward.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed, as amended.

SB 174, AN ACT concerning higher education; authorizing the affiliation of Wichita area technical college with Wichita state university; amending K.S.A. 72-4472 and 74-4931 and K.S.A. 2016 Supp. 72-4470a and repealing the existing sections, 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: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, 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, Schwab, 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, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed.

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

COMMITTEE OF THE WHOLE

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

Recommended that **SB 184**, **HB 2360** be passed.

Committee report recommending a substitute bill to **HB 2277** be adopted; on motion of Rep. Landwehr, **Sub HB 2277** be amended on page 1, in line 7, by striking the third "a" and inserting "one or more"; in line 8, by striking "area" and inserting "areas"; in line 12, by striking the second "the" and inserting "any"; in line 23, by striking "a"; also in line 23, by striking "permit" and inserting "permits";

On page 2, in line 32, after "barrier" by inserting "or any apparent line of demarcation"; and **Sub HB 2277** be passed as amended.

Committee report recommending a substitute bill to **SB 70** be adopted; on motion of Rep. Whitmer, **H Sub for SB 70** be amended on page 1, in line 17, after the semicolon by inserting "and";

On page 4, in line 34, by striking all after "than"; by striking all in lines 35 and 36; in line 37, by striking all before "1,000,000"; also in line 37, by striking all after "occurrence"; by striking all in line 38; in line 39, by striking all before the comma and inserting "with a \$2,000,000 annual aggregate";

On page 6, in line 4, after "methods" by inserting "in accordance with ASTM F747 standards"; in line 12, after "actually" by inserting "supervising, or";

On page 8, in line 7, after "decal" by inserting "provided by the department"; following line 23, by inserting:

"(e) The secretary shall develop an inspection check list, which shall be posted on the department's website." and **H Sub for SB 70** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2408** be passed.

Committee on **Taxation** recommends **HB 2395** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2395," as follows:

"Substitute for HOUSE BILL NO. 2395

By Committee on Taxation

"AN ACT concerning taxation; relating to income tax, rates, determination of Kansas adjusted gross income and deductions; sales and compensating use tax, rates, food and food ingredients; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117, 79-32,119, 79-32,120, 79-32,138, 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269.";

And the substitute bill be passed.

(**Sub HB 2395** was thereupon introduced and read by title.)

REPORT OF STANDING COMMITTEE

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

Request No. 68, by Representative Patton, congratulating Eva Christine O'Connor on her 100th birthday;

Request No. 69, by Representative Good, congratulating Sue E. Givens in recognition for being 2017 Kansas Superintendent of the Year;

Request No. 70, by Representative Dierks, commending Rex Campbell for administering CPR and saving the life of teammate Aaron Hurd;

Request No. 71, by Representative Highland, congratulating Manhattan CHIEF Boys' Basketball Team for winning the National Championship in the Christian Homeschool Large Program Division 2-C category;

Request No. 72, by Representative Becker, congratulating Hutchinson Community College Blue Dragons for being NJCAA 2017 Men's Basketball National Champions;

Request No. 73, by Representative Weber, honoring Bill Hesse for his legacy of bringing Kansas communities together through baseball;

Request No. 74, by Representative Weber, honoring Ruth Bramble Humphrey for her legacy of bringing Kansas communities together through baseball;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Hineman, **HCR 5014** by Reps. Ryckman, Hineman and Ward, was introduced and adopted.

HCR 5014— A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period during the 2017 regular session of the legislature.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on March 30, 2017, and shall reconvene on April 3, 2017, pursuant to adjournment of the daily session convened on March 30, 2017; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during such period of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day during this period of adjournment; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during this period of adjournment shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **H Sub for SB 126** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Davis to replace Rep. Schwab on Committee on K-12 Education Budget on March 30, 2017.

REPORT ON ENGROSSED BILLS

HB 2362 reported correctly engrossed March 29, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Monday, April 3, 2017.

BILLS STRICKEN FROM THE CALENDAR

In accordance with House Rule 1507, the following bills were stricken from the calendar for March 30, 2017: **SB 47, H Sub for SB 8, SB 78.**

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

SUSAN W. KANNARR, *Chief Clerk.*

