

Journal of the House

SEVENTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, June 1, 2017, 10:00 a.m.

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

COMMUNICATIONS FROM STATE OFFICERS

I, KRIS KOBACH, Secretary of State of the State of Kansas, do hereby certify that Jesse Burris was appointed by the Governor effective June 1, 2017, for the unexpired term of State Representative for the 82nd Legislative District, to fill the vacancy created by the resignation of Pete DeGraaf, and was administered the following oath of office on June 1, 2017.

State of Kansas
County of Shawnee}SS.

I, Jesse Burris, do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of Kansas House of Representatives, District 82, so help me God.

Subscribed and Sworn to, or Affirmed, before me this 1st day of June, 2017.

JOHN E. BARKER, REPRESENTATIVE
Kansas House of Representatives

Speaker Ryckman welcomed Rep. Burris to the House of Representatives.

The roll was called with 121 members present.
Reps. Cox, Jacobs, Schwab and Whipple were excused on excused absence by the Speaker.
Present later: Reps. Cox, Schwab and Whipple.

Prayer by Chaplain Brubaker:

Heavenly Father,
I stand before You today,
to express our thanksgiving for the many blessings
You give to all of us.
As our leaders continue to sort through
the various issues of current bills,
I am reminded of Elijah challenging
the prophets at Mount Carmel.
Before the challenge, he turned to the people and asked,
“How long will you waver between two opinions?”
It appears that in the case before us,
there is wavering between several opinions.
To get it right, our leaders desperately need
wisdom and guidance from above.
Help each one to set aside personal opinions
and to discover how in their diversity,
there can be unity as they follow
the leadership and direction You give.
I ask this in Christ’s Name, Amen.

The Pledge of Allegiance was led by Rep. Hodge.

INTRODUCTION OF GUESTS

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

Good morning. I am proud to have the Girard High School Lady Trojans Softball team as my guests. Today I would like to take the time to recognize these very talented young women for winning the 4A State Softball Championship.

A big congratulations to the team, some of whom are in the gallery: Calea Augustin, Shelby Smith, Sydnee Crain, Jacey Murphy, Alanis Swift, Jaylynn Jenkins, Shaylun Grosstephan, Maleah Sandy, Jordan Ferguson, Laney Shireman, Marci Heatherly, Lakin Cherry, Breleigh Harris, Brittley Bailey, Trista Nickelson, Kallee Franklin, Abby Smith, and to the coaches, Jim Vinze and Jeff Leslie on your championship win. Please join me in congratulating this talented group of young ladies on their accomplishment.

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

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hineman, **HR 6036**, by Reps. Ryckman, Hineman and Ward, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6036**—

HR 6036— A RESOLUTION relating to assignment of seats of the House of Representatives.

Be it resolved by the House of Representatives of the State of Kansas: That the

members of the 2017 regular session of the legislature shall occupy the same seats assigned pursuant to 2017 House Resolution No. 6013 with the following exception: Burris, seat No. 39.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2186**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Campbell, the House nonconcurred in Senate amendments to **S Sub for HB 2186**, and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Campbell, Aurand and Trimmer as conferees on the part of the House.

CHANGE OF CONFEREES

Speaker Ryckman announced the appointment of Reps. Campbell, Aurand, and Trimmer to replace Reps. Vickrey, Dove, and Neighbor as members of the conference committee on **SB 19**.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

On motion of Rep. Hineman, the House recessed until 5:00 p.m.

LATE AFTERNOON SESSION

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

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2313** and has appointed Senators Estes, Olson and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2186** and has appointed Senators Denning, McGinn and Hensley as conferees on the part of the Senate.

Announcing passage of **HB 2278**, as amended by **S Sub for HB 2278**.

On motion of Rep. Hineman, the House recessed until 5:40 p.m.

EVENING SESSION

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

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2278**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barker to concur in Senate amendments to **S Sub for HB 2278**, Rep. Carpenter offered a substitute motion to nonconcur. The substitute motion was subsequently withdrawn.

Also, roll call was demanded on an additional substitute motion of Rep. Carpenter to nonconcur in Senate amendments to **S Sub for HB 2278** and that a conference committee be appointed.

On roll call, the vote was: Yeas 33; Nays 91; Present but not voting: 0; Absent or not voting: 1.

Yeas: Arnberger, Aurand, Awerkamp, Blex, Burris, B. Carpenter, Claeys, Corbet, Ellis, Esau, Garber, Highland, Hoffman, Houser, Huebert, Humphries, K. Jones, Landwehr, Mason, Osterman, R. Powell, Rahjes, Resman, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thimesch, Vickrey, Weber, C., Whitmer, K. Williams.

Nays: Alcalá, Alford, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Jacobs.

The motion of Rep. Carpenter did not prevail.

The question reverted back to the original motion of Rep. Barker and the House concurred in Senate amendments to **S Sub for HB 2278**, AN ACT concerning firearms; relating to the personal and family protection act; prohibiting the carrying of concealed firearms in certain buildings; concerning the liability of public employers; amending K.S.A. 2016 Supp. 75-7c10 and 75-7c20 and repealing the existing sections

On roll call, the vote was: Yeas 91; Nays 33; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Aurand, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Finch,

Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Arnberger, Awerkamp, Blex, Burris, B. Carpenter, Claeys, Corbet, Ellis, Esau, Garber, Highland, Hoffman, Houser, Huebert, Humphries, K. Jones, Landwehr, Mason, Orr, Osterman, Pittman, R. Powell, Rahjes, Resman, Smith, A., Smith, E., Sutton, Thimesch, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Jacobs.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote Aye on **S Sub for HB 2278**. My vote today is dedicated to the memory of Alison Bauer, an ardent citizen lobbyist whose passion for an issue did not give way to her ability to tolerate the position of those, such as me, who did not necessarily always agree with her position.

May passage of this legislation give some small degree of comfort to her friends and colleagues who continue to carry her torch and also serve as a lasting tribute to her efforts. – VIC MILLER

MR. SPEAKER: Hospitals can keep their exemption by providing adequate security. That was the crux of the original bill. They had four years to figure it out but turned a blind eye. In today's world, it's not a stretch to think our hospitals may become a target. Before 911, no one could imagine that someone would purposely fly a jetliner into a building. Our hospitals should be secure. A vote to change this law will certainly delay much needed security. That being said, I have to reluctantly vote against my 2nd amendment beliefs because my constituents have spoken. Mr. Speaker, I vote Yes to concur to **S Sub HB 2278**. – SEAN E. TARWATER

REPORT ON ENGROSSED BILLS

HB 2092 reported correctly engrossed May 31, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6035 reported correctly enrolled and properly signed on June 1, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Friday, June 2, 2017.

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

SUSAN W. KANNARR, *Chief Clerk*.

