

Journal of the House

FORTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 13, 2018, 11:00 a.m.

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

The roll was called with 119 members present.

Reps. Gallagher and Phillips were excused on verified illness.

Reps. Blex, Holscher, Neighbor and Pittman were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
Thank You for this new day.
May we not take it for granted
but live it to its fullest for Your glory.
It is such a humbling privilege and honor
to pray for these leaders daily.
These men and women are addressed each day
with many different titles – representative, leader,
“the” government, politicians –
and then there are those titles that some offer
that I wouldn’t shame You or them by repeating them.
The reality is that these men and women are
fathers, mothers, grandfathers, grandmothers;
brothers, sisters, aunts and uncles;
friends, companions and best buds.
They are just normal human beings created by You
who want to make a difference and serve a purpose
in what they do in life.
Help all those who have opinions about all the issues
remember that in reality these people are like the rest of us
and deserve respect and dignity.
Above all, help our elected leadership in here
to remember that about themselves.
They are your creation.
This I pray in Your Name, Amen.

The Pledge of Allegiance was led by Rep. Houser.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committees as indicated:

Transportation: **HB 2775**.

INTRODUCTION OF GUESTS

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

Good morning colleagues, I am grateful for your attention.

Because March is national Cerebral Palsy Awareness Month, it seemed appropriate to highlight a brief story about the people behind a home-grown organization that's advocating each day for those experiencing cerebral palsy and other disabilities.

This story begins in the 1960's and a Western Kansas native with cerebral palsy who came to Wichita for his education. Upon completing that education he discovered a harsh reality: there was no place for him to go—except back home.

Frustrated with the lack of opportunities after all his hard work, the young man called his Wichita speech pathologist—Jack Jonas Jr.—and told him: “It's not what you did FOR me, it's what you did TO me.”

Put another way, he told Jack: you equipped me with a dream—living and working independently. But without a path and a place to fulfill those dreams, life is empty.

Is that not a universal truth for all of us?

Jack Jonas took these words to heart and in 1972 founded the Cerebral Palsy Research Foundation in Wichita. The CPRF mission: promote and research employment opportunities and independence for people with disabilities.

With the help of Wichita innovative-thinking entrepreneurs like Pizza Hut co-founder Dan Carney, Dan Taylor, and others, CPRF is now an international model for their mission.

If you own and drive a car in Kansas, your license plate is manufactured at CPRF's affiliate organization—Center Industries in Wichita.

Employees there might make their living at a specially modified work station designed to promote optimal efficiency.

They might live at The Timbers, the first HUD property in the nation built specifically for people with disabilities to live independently.

They might get to work and live life with the help of a personally customized wheelchair provided through the innovative Wheelchair and Posture Seating Clinic program at CPRF.

The CPRF mission includes employment for people with disabilities in the IT sector, digital document imaging, mailroom operations, data services, products for the aerospace industry, and more.

CPRF's Center Industries now employs more than 280 people, with 75% of their direct labor force comprised of people with disabilities.

Like all of us, they work and pay taxes.

CPRF also offers meaningful interaction for a range of people with disabilities through its Day Services Program. One of those fortunate clients is our son Billy Weber, standing here with me today.

Also joining me here is Mr. Pat Jonas, son of Founder Jack Jonas. Pat serves as President and CEO of CPRF. Joining us in the gallery is Patrick Terick, a familiar face to many of you and a longtime employee of CPRF who has not only survived, but thrived living with cerebral palsy.

CPRF is a Kansas treasure. It's a shining example of how the God-given compassion of the human heart and a business-savvy mission-driven philosophy can help create an environment and opportunities where people with disabilities can be as independent—financially and personally—as they choose.

Please join me in welcoming these faces of the disability community and the unending Kansas spirit of perseverance they represent.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2470** 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 **HB 2482** and has appointed Senators Lynn, Suellentrop and Holland as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Schreiber, **HR 6051**, by Reps. Schreiber, Alford, Arnberger, Aurand, Baker, Blex, Brim, Clark, Concannon, Cox, Crum, Curtis, Davis, Deere, Delperdang, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Garber, Gartner, Good, Highland, Hineman, Holscher, Houser, Humphries, Jacobs, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Markley, Mason, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Parker, Patton, Phelps, Phillips, Pittman, Powell, Probst, Ralph, Resman, Rooker, Schroeder, Schwab, Seiwert, Smith, Smith, Tarwater, Thompson, Trimmer, Ward, Waymaster, Weber, Wheeler, Whipple and Whitmer, as follows, was introduced and adopted:

HR 6051—A RESOLUTION recognizing the Kansas Small Business Development Center's 2018 Businesses of the Year.

WHEREAS, The mission of the Kansas Small Business Development Center (SBDC), a member of the national organization, America's SBDC, is to increase economic prosperity in Kansas by helping entrepreneurs and small business owners start and grow their businesses through professional consulting and training, and the identification of appropriate resources; and

WHEREAS, The Kansas SBDC regional directors and staff selected seven Emerging Businesses of the Year award recipients, seven Existing Businesses of the Year award recipients and two Exporting Businesses of the Year award recipients; and

WHEREAS, The Kansas SBDC's Business of the Year awards are designed to recognize Kansas SBDC clients for superior performance; and

WHEREAS, Business of the Year award recipients have achieved major accomplishments, overcome significant obstacles, shown growth and positive economic impact, which is based on a record of profitability and the Kansas SBDC Economic

Impact Tracking spreadsheet, and demonstrated good corporate citizenship through community contributions; and

WHEREAS, The 2018 Kansas SBDC Emerging Businesses of the Year are: BellaRose Boutique and Tanning Salon, LLC in Burlington, Kansas, owned by Lindsay Beyer; Lost Creek Supply in Kensington, Kansas, owned by Kaid Baumann; Angel Competition Bikinis, LLC in Lenexa, Kansas, owned by Karah and Lauren Beeves; HMC Performance Coatings in Tonganoxie, Kansas, owned by Shawn and Amie Bristol; Root Coffeehouse in Pittsburg, Kansas, owned by Lindsey and Trent King; Advantage Marketing in Wichita, Kansas, owned by Cori Kohlmeier and Amy Hoefler; and Sugar Creek Country Store in St. Marys, Kansas, owned by Dan Hohman; and

WHEREAS, The 2018 Kansas SBDC Existing Businesses of the Year are: Radius Brewing Company, LLC in Emporia, Kansas, owned by Justin Bays, Jeremy Johns and Chad Swift; KYVZ Radio in Atwood, Kansas, owned by Joe Vysourek; KC Restoration, LLC in Olathe, Kansas, owned by Bill and LeAnn Luemmen; KEAdvisors in Lawrence, Kansas, owned by Keith Ely; LaHarpe Telephone Company, Inc. in LaHarpe, Kansas, owned by Harry Lee, Joyce Lee and Carol Higginbotham; T & B Towing, LLC in Liberal, Kansas, owned by Ty Rader; Overstock Art, LLC in Wichita, Kansas, owned by David Sasson; and Wabaunsee County Signal-Enterprise in Alma, Kansas, owned by Lori Daniel; and

WHEREAS, The 2018 Kansas SBDC Exporting Businesses of the Year are: Double D Family Mat Shop, Inc. in Park, Kansas, owned by Dale and Dena Goetz; and Northwind Technical Services, LLC in Sabetha, Kansas, owned by Mike and Marlene Bosworth; and

WHEREAS, The Kansas SBDC Businesses of the Year serve as examples of the success that the Kansas SBDC and small business owners across Kansas can achieve: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the Kansas Small Business Development Center's 2018 Emerging, Existing and Exporting Businesses of the Year and wish all of them, the Kansas SBDC, and America's SBDC continued success in the future; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send 17 enrolled copies of this resolution to Representative Schreiber.

INTRODUCTION OF GUESTS

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

Good morning colleagues,

It is an honor to present the 2018 winners of the Kansas Small Business Development Center existing, emerging and exporting businesses of the year.

The Kansas Small Business Development Centers (KSBDCs) work with small businesses, start-ups and entrepreneurs to help them compete in today's highly competitive global economy. Eight regional centers and two outreach centers combine the resources of a professional staff, the state's best educational institutions, the private sector and government.

The mission of these centers is to help new entrepreneurs realize the dream of business ownership, and to assist existing businesses to remain competitive in the

complex marketplace of a global economy.

Small business owners and aspiring entrepreneurs can go to their local center for free face-to-face business consulting and at-cost training, on topics including:

- Writing business plans
- Accessing capital
- Marketing
- Regulatory compliance
- Technology development
- International trade

And most recently, issues surrounding cybersecurity.

In 2016 the impact of the Kansas SBDCs included:

- 3,240 jobs created/retained
- \$117.8M new business sales
- \$79.3M new business capital

The businesses being recognized today are:

2018 Kansas SBDC Emerging Businesses of the Year are:

- BellaRose Boutique and Tanning Salon, LLC in Burlington, Lindsay Beyer;
- Lost Creek Supply in Kensington, Kaid Baumann;
- Angel Competition Bikinis LLC in Lenexa, Karah and Lauren Beeves;
- HMC Performance Coatings in Tonganoxie, Shawn and Amie Bristol
- Root Coffeehouse in Pittsburg, Lindsey and Trent King
- Advantage Marketing in Wichita, Cori Kohlmeier and Amy Hoefler
- Sugar Creek Country Store in St. Marys, Dan Hohman

2018 Kansas SBDC Existing Businesses of the Year are:

- Radius Brewing Company in Emporia, Justin Bays, Jeremy Johns, Chad Swift
- KYVZ Radio in Atwood, Joe Vysourek
- KC Restoration, LLC in Olathe, Bill and LeAnn Luemmen
- KEAdvisors in Lawrence, Keith Ely
- LaHarpe Telephone Company, Inc. in LaHarpe, Harry Lee, Joyce Lee, Carol Higginbotham
- T & B Towing, LLC in Liberal, Ty Rader
- Overstock Art, LLC in Wichita, David Sasson
- Wabaunsee County Signal – Enterprise in Alma, Lori Daniel

2018 Kansas SBDC Exporting Business of the Year is:

- Double D Family Mat Shop Inc. in Park, Dale and Dena Goetz
- Northwind Technical Services, LLC in Sabetha, Mike and Marlene Bosworth

Following the conclusion of our session today, the co-sponsors of the resolution are welcome to join in a group photo with the businesses around the well. Also a reception and further recognition for them will occur from 4 – 6 p.m. today on the 2nd floor north wing.

Please help me congratulate these outstanding businesses, who are in the gallery today.

CONSENT CALENDAR

No objection was made to **SB 267, Sub SB 414** appearing on the Consent Calendar

for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 267, AN ACT concerning insurance; relating to risk-based capital instruction; effective date; amending K.S.A. 2017 Supp. 40-2c01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Brim, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, 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: Blex, Gallagher, Holscher, Neighbor, Phillips, Pittman.

The bill passed.

Sub SB 414, AN ACT concerning agriculture; relating to eggs; repackaging requirements for retailers; amending K.S.A. 2017 Supp. 2-2510 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Brim, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, 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: Blex, Gallagher, Holscher, Neighbor, Phillips, Pittman.

The bill passed.

HB 2541, AN ACT concerning postsecondary education; relating to the Kansas national guard educational assistance act; relating to participant qualifications and recoupment of assistance; amending K.S.A. 74-32,148 and 74-32,149 and K.S.A. 2017 Supp. 74-32,146 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Brim, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, 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: Blex, Gallagher, Holscher, Neighbor, Phillips, Pittman.

The bill passed.

HB 2650, AN ACT designating the state rock as limestone; the state mineral as galena; the state gemstone as jelinite amber; and the state fish as the channel catfish, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 5; Present but not voting: 0; Absent or not voting: 6.

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

Nays: Aurand, Carmichael, Schwab, Trimboli, Vickrey.

Present but not voting: None.

Absent or not voting: Blex, Gallagher, Holscher, Neighbor, Phillips, Pittman.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **SB 185** be passed.

Committee on **Financial Institutions and Pensions** recommends **SB 284**, as amended by Senate Committee, be amended on page 1, in line 26, after "matter" by inserting "that would not constitute a criminal offense";

On page 2, in line 4, by striking the semicolon and inserting a period; and the bill be passed as amended.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2776, AN ACT concerning income taxation; relating to credits, Eisenhower foundation donations, by Committee on Taxation.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Probst to replace Rep. Holscher on Committee on Health and Human Service on March 13, 2018.

Also, the appointment of Rep. Parker to replace Rep. Pittman on Committee on Agriculture on March 13, 2018.

Also, the appointment of Rep. Ward to replace Rep. Carmichael on Committee on Energy, Utilities and Telecommunications on March 14, 2018.

Also, the appointment of Rep. Crum to replace Rep. Finney on Committee on Financial Institutions and Pensions on March 14, 2018.

REPORT ON ENGROSSED BILLS

HB 2650 reported correctly engrossed March 12, 2018.

REPORT ON ENROLLED BILLS

HB 2502 reported correctly enrolled, properly signed and presented to the Governor on March 13, 2018.

REPORT ON ENROLLED RESOLUTIONS

HR 6050 reported correctly enrolled and properly signed on March 13, 2018.

On motion of Rep. Thompson, the House adjourned until 11:00 a.m., Wednesday, March 14, 2018.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*