

Journal of the House

FORTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 19, 2018, 11:00 a.m.

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

The roll was called with 123 members present.

Reps. Claeys and Hoffman were excused on excused absence by the Speaker.

Prayer by guest chaplain, Everett Schultz, Interim Pastor, First Mennonite Church, Pretty Prairie, and guest of Rep. Seiwert.

Dear heavenly Father,

I come before You this morning thanking You for this great state of Kansas and that this House still opens its' sessions with prayer. I pray that You will lead and guide these people to understand and discern Your direction for our state. Please empower the people in this room to have the fortitude and strength to face the issues of the day with truth.

The world faces many challenges today with the threat of nuclear war, of civil unrest, and of the taking of innocent life in all areas of society. Forgive us for removing prayer and the mention of Your name from schools, and from turning away from Your principles as a society. Our turning away from You has led to a loss of moral decency and so I pray Father that You will move the people in this room to be able to stand for what our forefathers fought and died for to provide a society where God was respected and revered. Help these people to stand strong for Godly moral values in all the decisions they make for our state.

But most importantly, help each one here to know that you love them and that You sent Your Son to die for each one of them so that they might have eternal life with You in heaven.

In Thy name I pray. Amen.

The Pledge of Allegiance was led by Rep. Seiwert.

INTRODUCTION OF GUESTS

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

I would like to present this certificate of appreciation to Pastor Everett Schultz, First Mennonite Church, Pretty Prairie, in recognition of ten years of faithfully coming to the House of Representatives once each session to lead us in prayer.

Rep. Seiwert presented a framed House certificate to Pastor Schultz.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2786, AN ACT creating the injection well safety advisory task force, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HR 6052**.

Children and Seniors: **SB 428**.

General Government Budget: **HB 2784**, **HB 2785**.

Taxation: **HB 2781**, **HB 2782**, **HB 2783**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Dietrich, **HR 6053**, by Reps. Finney, Alcalá, Amberger, Ballard, Bishop, Brim, Carlin, Clayton, Concannon, Crum, Curtis, Davis, Deere, Dierks, Dietrich, Gallagher, Good, Henderson, Holscher, Horn, Humphries, Judd-Jenkins, Koesten, Kuether, Landwehr, Lusk, Markley, Murnan, Neighbor, Ohaebosim, Phelps, Probst, Rooker, Ruiz, Schreiber, Swanson, Victors, Weber, Williams, Winn and Wolfe Moore, as follows, was introduced and adopted:

HR 6053—A RESOLUTION recognizing March 19 as Kansas Celebrating Women in Public Office Day.

WHEREAS, The month of March is Women's History Month and celebrates the significant contributions women of all races, ethnicities and backgrounds have made to the world; and

WHEREAS, Women play a critical role in the vitality and diversity of our communities and are essential to ensuring Kansas is well-represented; and

WHEREAS, While the 20th century was a pivotal time of growth for women entering politics, women remain underrepresented in male-dominated fields, and thus, providing opportunities to support women in public office is imperative; and

WHEREAS, Recognizing women in public office will bring awareness to the fundamental necessity of their work and will inspire other women to serve their communities: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize March 19 as Kansas Celebrating Women in Public Office Day and call on the people of Kansas to unite as we support the success of women in public office and observe March 19 with appropriate activities, events and programs; and

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

INTRODUCTION OF GUESTS

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

We are very excited today as we celebrate Women's History Month and Celebrate Women in Public Office Day by recognizing a few of our own groundbreaking female legislators who are currently serving in the Legislature and those that have come before us.

Kansas was among the first states to give women the right to vote when it passed a state constitutional amendment in 1912, eight years before ratification of the 19th Amendment to the U.S. Constitution. Since that time, statewide, Kansas has had one woman Secretary of State – Elwill Shanahan (1966-1978); three women State Treasurers – Joan Finney (1975-1991), Sally Thompson (1991-1995), & Lynn Jenkins (2003-2009); two women Governors – Joan Finney (1991-1995) & Kathleen Sebelius (2003-2009); one woman Lieutenant Governor – Sheila Frahm (1991-1998); one woman Attorney General – Carla Stovall (1995-2003); and two women Insurance Commissioners – Kathleen Sebelius (1995-2003) and Sandy Praeger (2003-2015).

In addition, only 203 women have ever served in the Kansas Legislature/House, including only eight women of color. Six African American women, (Verdis Robinson, Ruby Gilbert, Barbara Ballard, Valdenia Winn, Oletha Faust-Goudeau and Gail Finney), one Latin American (Delia Garcia) and one Native American (Ponka-We Victors).

Currently, there are 32 ladies now serving in the House and 15 in the Senate. A few of those special barrier breaking women include: Susan Wagle, the first woman to be elected Speaker pro-tem and the first woman elected as Senate President. Barbara Ballard, the first African-American woman elected to the Kansas House without having been appointed first; and Ponka-We Victors, the first Native American woman elected to the House. We also would like to take this time to recognize the three women that are currently serving as House Committee Chairs – Erin Davis, Children and Seniors and also Joint Committee on Special Claims Against the State; Kristy Williams, Local Government; and Brenda Landwehr, Social Services Budget.

Today we are also recognizing a local resident that has broken barriers here in Topeka to become the city's first Hispanic Mayor, Ms. Michelle De La Isla. She is Topeka's second female mayor, following Joan Wagnon, and she is Topeka's first employed mayor and the first mayor who is a single parent. She is also a diversity and inclusion representative for Westar Energy. Previously, she had represented south Topeka's District 5 on the city council since April 2013, and she was the executive director of Topeka Habitat for Humanity from 2010 until she took her job with Westar in 2015. She also earned a degree from Wichita State University. Interestingly, today is also her birthday! Help us wish her a very Happy Birthday.

We sincerely appreciate all of their service to the State of Kansas. Please join us in recognizing our current female leaders.

The Representatives presented Mayor De La Isla with a framed House certificate in recognition of her accomplishments.

CONSENT CALENDAR

No objection was made to **HB 2755**, **SB 369** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2755, AN ACT concerning property taxation; relating to cities and counties, approval of budgets with increased property tax revenues, election requirements, exceptions; amending K.S.A. 2017 Supp. 79-2925c and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 3; Present but not voting: 0; Absent or not voting: 2.

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

Present but not voting: None.

Absent or not voting: Claeys, Hoffman.

The bill passed.

SB 369, AN ACT concerning the Kansas highway patrol; relating to minimum rank for certain persons; amending K.S.A. 2017 Supp. 74-2113 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: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, 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, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, 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: Claeys, Hoffman.

The bill passed.

SB 275, AN ACT concerning credit unions; relating to expulsion of members; credit union council; terms of service; two-term limit; amending K.S.A. 17-2219 and 17-2232 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, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, 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, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, 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: Claeys, Hoffman.

The bill passed, as amended.

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

COMMITTEE OF THE WHOLE

Committee report to **HB 2421** be adopted.

On motion of Rep. Whitmer to amend **HB 2421**, Rep. Ward requested the amendment be divided. The amendment was divided into 6 parts. The motion to amend was subsequently withdrawn.

Also, on motion of Rep. Pittman to amend **HB 2421**, a motion to Rise and Report by Rep. Hineman was adopted. The bill remains on General Orders.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2778** be passed.

Committee on **Federal and State Affairs** recommends **HB 2398** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2398," as follows:

"Substitute for HOUSE BILL NO. 2398

By Committee on Federal and State Affairs

"AN ACT concerning traffic-control devices; relating to the maintenance thereof, counties and townships; amending K.S.A. 2017 Supp. 8-2005 and 68-526 and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2398** was thereupon introduced and read by title.)

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 2787, AN ACT concerning children and minors; relating to crisis intervention; creating juvenile crisis intervention centers; amending K.S.A. 2017 Supp. 38-2231, 38-2232, 38-2242, 38-2243, 38-2330 and 75-52,164 and repealing the existing sections, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **SB 56** from the Committee on Elections and referral to the Committee on Government, Technology and Security.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Parker to replace Rep. Alcala on Committee on Taxation on March 19, 2018.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, March 20, 2018.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

