

Journal of the House

TENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 28, 2019, 11:00 a.m.

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

The roll was called with 120 members present.

Rep. Lewis was excused on verified illness.

Reps. Ballard, Hodge, Neighbor and Whipple were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious God,
Thank You for this new week
and the many new opportunities that it will present.
As our leaders proceed with their responsibilities,
lead and guide them to choose:
their purpose over approval;
collaboration over control;
discipline over regret;
the important over the urgent.
This I pray in Your Name, Amen.

The Pledge of Allegiance was led by Rep. Adam Smith.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2087, AN ACT concerning motor vehicles; relating to windshields and windows; installation of light screening material; amending K.S.A. 2018 Supp. 8-1749a and repealing the existing section, by Committee on Transportation.

HB 2088, AN ACT regulating traffic; concerning negligent driving, penalty; amending K.S.A. 2018 Supp. 8-2118 and repealing the existing section, by Committee on Transportation.

HB 2089, AN ACT enacting the Kansas death with dignity act, by Representative Gartner.

HOUSE CONCURRENT RESOLUTION No. **HCR 5004**—

By Representatives Garber, Awerkamp, Bergquist, Blex, Burris, W. Carpenter, Dove, Ellis, Eplee, Highland, Hoffman, Huebert, Jacobs, Resman, Rhiley, Seiwert, Smith, A., Smith, E., Tarwater, Thimesch and Vickrey

A PROPOSITION to amend section 1 of the bill of rights of the constitution of the state of Kansas, relating to equal rights.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of the bill of rights of the constitution of the state of Kansas is hereby amended to read as follows:

"**§ 1. Equal rights.** All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness. *Recognizing the authority of the state of Kansas to exercise its police power and its sovereign right to adopt individual liberties in the constitution of the state of Kansas more expansive than those conferred by the constitution of the United States, the state of Kansas shall hereby guarantee the inalienable rights, equal protection and due process of law of every human being from the beginning of the biological development of that human being, including fertilization.*"

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"*Explanatory statement.* The purpose of this amendment is to expand the class of human beings who currently enjoy inalienable rights, equal protection, and due process of the law under the constitution of the state of Kansas to every human being from the beginning of the biological development of that human being, including fertilization.

"A vote for this proposition would amend the Kansas constitution to explicitly incorporate into it the inalienable right to life of every human being irrespective of age, race, gender, health, function, condition of dependency, including physical or mental dependency, or method of reproduction, from the beginning of their biological development, including fertilization. The proposed constitutional amendment also would prohibit the state from discriminating against any class of human beings in the application, interpretation and enforcement of its laws.

"A vote against this proposition would not amend the constitution, in which case the current federally mandated legal status of preborn humans would remain that of a class of human beings that can intentionally be killed."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment

to be submitted to the electors of the state at the general election in November in the year 2020, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture: **HB 2085**.

Taxation: **HB 2086**.

MESSAGE FROM THE GOVERNOR

January 25, 2019

Message to the Kansas House of Representatives:

Enclosed is Executive Order No. 19-03 for your information.

EXECUTIVE ORDER NO. 19-03
Establishing the Governor's Council on Education

LAURA KELLY
Governor

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

COMMUNICATIONS FROM STATE OFFICERS

From the Legislative Task Force on Dyslexia, report, pursuant to K.S.A. 72-8193.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

CONSENT CALENDAR

No objection was made to **HB 2035** appearing on the Consent Calendar for the second day.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Tuesday, January 29, 2019.

JENNY HAUGH, JULIA WERNER, *Journal Clerks*.
SUSAN W. KANNARR, *Chief Clerk*.

