

# Journal of the House

FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, January 13, 2020, 2:00 p.m.

## COMMUNICATION FROM STATE OFFICER

I, SCOTT SCHWAB, Secretary of State of the State of Kansas, do hereby certify that Joe Newland was appointed by the Governor effective August 12, 2019, for the unexpired term of State Representative for the 13<sup>th</sup> Legislative District, to fill the vacancy created by the resignation of Larry Hibbard, and was administered the following oath of office on August 12, 2019.

State of Kansas  
County of Shawnee} SS.

I 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 State Representative  
So help me God.  
JOE NEWLAND

Subscribed and Sworn to, or Affirmed, before me this 12<sup>th</sup> day of August 2019.

SCOTT SCHWAB  
*Secretary of State*

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This being the day fixed by the constitution of the State of Kansas for the assembling of the 2020 session of the legislature, the House was called to order at 2:00 p.m. by Speaker Ron Ryckman.

Speaker Ryckman announced the appointment of Susan Kannarr as Chief Clerk, Foster Chisholm as Sgt. At Arms and The Rev. Eunice Brubaker as the House Chaplain for 2020.

The roll was called with 120 members present.  
Reps. Hodge and Victors were excused on verified illness.  
Reps. Eplee, Landwehr and Pannbacker were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker,

Almighty God,  
 here we are again for another session.  
 Although this is the official first day of session,  
 we understand that many of our representatives  
 have already been working extensively on the matters  
 that are to be tackled over the next few months.  
 We start off today knowing all that needs to be addressed,  
 but You alone, know what and how things will happen.  
 You alone know what the results of our business will be  
 ninety days from now.  
 So, it would stand to reason  
 that since You are the only one who knows the outcome,  
 we would be wise to  
 “Trust God from the bottom of *our* hearts;  
 and *not* try to figure out everything on *our* own;  
 listen for God’s voice in everything *we* do, everywhere *we* go;  
 For *You God* are the one who will keep *us* on track.  
 May *we not* assume that *we* know it all.”  
 (Proverbs 3:5-6, The Message)  
 In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Proehl.

### **PERSONAL PRIVILEGE**

Rep. Whipple announced his resignation, effective today. He was joined by his wife, parents, and grandfather and thanked the body for their friendship and support. Rep. Whipple will now serve as Mayor of Wichita.

### **COMMUNICATIONS FROM STATE OFFICERS**

Dear Mr. Speaker:

This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2019 Regular Session of the Legislature:

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 22a-243, the 2019 annual report of the Kansas State Child Death Review Board.

From James R. Hubbard, Attorney, in accordance with the requirements of K.S.A. 19-5005(e), the Johnson County Educational Research Triangle Authority, its Annual Report concerning the financial activities of the Authority.

From Ethan Belshe, Legislative Liaison, Kansas Department for Children and Families, the Crossover Youth Working Group Interim Report.

From Megan Milner, Director of Community Based Services, Kansas Department of Corrections-Juvenile Services, the 2019 Kansas Juvenile Justice Oversight Committee Annual Report.

From Julie Menghini, Communications Director/Legislative Director, Kansas

Department of Labor, the 2019 Economic Report.

From the Governmental Ethics Commission, the 2019 Annual Report.

From Jeff Zmuda, Acting Secretary of Corrections, the Fiscal Year 2019 Annual Report.

From the Kansas Criminal Justice Reform Commission, the report to the 2020 Kansas Legislature.

From Bob Page, President and Chief Executive Officer, The University of Kansas Hospital Authority, in accordance with KSA 76-3312(p), the 2019 Annual Report.

From Clark Shultz, Executive Director, Health Care Stabilization Fund, in accordance with 2019 HB 2119, the Report to the 2020 Kansas Legislature from the Kansas HealthCare Stabilization Fund Board of Governors.

From Scott W. Miller, Director of Investments, in compliance with K.S.A. 75-4222(h), the Annual Report of the Pooled Money Investment Board for Fiscal Year 2019.

From the Office of Governor Laura Kelly:

Executive Directive No. 19-502, Authorizing the Establishment of a Federal Fund.

Executive Directive No. 19-503, Authorizing Personnel Transactions.

Executive Directive No. 19-504, Authorizing Personnel Transactions.

Executive Directive No. 19-505, Authorizing Expenditure of Federal Funds.

Executive Directive No. 19-506, Authorizing Expenditure of Federal Funds.

Executive Directive No. 19-507, Authorizing Expenditure of Federal Funds.

Executive Directive No. 19-508, Authorizing Expenditure of Federal Funds.

Executive Directive No. 19-509, Authorizing Expenditure of Federal Funds.

Executive Directive No. 19-510, Authorizing Personnel Transactions and Authorizing Expenditure of Federal Funds.

From Earl Lewis, Acting Director, Kansas Water Office, in accordance with K.S.A. 74-99f05, the State of Kansas Geographic Information Systems Policy Board, the FY 2019 Annual Report for July 1, 2018 through June 30, 2019.

Executive Order No. 19-09, Promoting cooperation in economic development.

Executive Order No. 19-10, Establishing the Governor's Council on Medicaid Expansion.

Executive Order No. 19-11, Establishing the Governor's Council on Tax Reform.

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

### **COMMUNICATIONS FROM STATE OFFICERS**

From Dwight D. Keen, Commission Chairman and Ryan A. Hoffman, Director, Conservation Division, Kansas Corporation Commission; Abandoned Oil & Gas Well Status Annual Report 2020 and Oil & Gas Remediation Site Status Annual Report 2020.

From Herman T. Jones, Superintendent, Kansas Highway Patrol; pursuant to KSA 60-4117, Annual Report regarding State Forfeiture Funds, December, 2018 - November, 2019.

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

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Hawkins, **HR 6025**, by Reps. Ryckman, Hawkins and Sawyer, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6025**—

A RESOLUTION relating to the organization of the House of Representatives.

*Be it resolved by the House of Representatives of the State of Kansas:* That the Chief Clerk of the House of Representatives notify the Senate that the House is organized with the following officers:

Ron Ryckman, speaker,  
Blaine Finch, speaker pro tem,  
Dan Hawkins, majority leader,  
Tom Sawyer, minority leader,  
Susan Kannarr, chief clerk,  
Foster Chisholm, sergeant at arms,  
and awaits the pleasure of the Senate.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Hawkins, **HR 6026**, by Reps. Ryckman, Hawkins and Sawyer, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6026**—

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 2020 regular session of the legislature shall occupy the same seats assigned pursuant to 2019 House Resolution No. 6020 with the following exceptions: Newland, seat No. 111. Stephanie Yeager will be assigned to seat No. 32 after being sworn in as the appointed replacement for district 96, which is being vacated by Representative Brandon Whipple.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

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

**HB 2420**, AN ACT concerning motor vehicles; relating to military surplus vehicles, registration and regulation; amending K.S.A. 8-194, 8-195 and 8-196 and K.S.A. 2019 Supp. 8-1486 and repealing the existing sections, by Representative K. Williams.

**HB 2421**, AN ACT concerning persons with disabilities; relating to the right to accommodation for individuals who raise assistance dogs; the procedure for verification of a person's right to be accompanied by an assistance dog or professional therapy dog; accredited training facilities; amending K.S.A. 2019 Supp. 39-1109, 39-1111 and 39-1113 and repealing the existing sections, by Representative K. Williams.

**HB 2422**, AN ACT establishing daylight saving time as the permanent standard time for the state of Kansas, by Representative K. Williams.

**HB 2423**, AN ACT concerning sheriffs; relating to qualifications; amending K.S.A. 2019 Supp. 19-801b and repealing the existing section, by Representative Rhiley.

**HB 2424**, AN ACT concerning police officer-involved deaths; requiring investigations; amending the open records act; amending K.S.A. 2019 Supp. 45-221 and repealing the existing section, by Representative Benson.

**HB 2425**, AN ACT enacting the Kansas anti-red flag act; prohibiting the enactment or enforcement of extreme risk protection orders against individuals regarding firearms; establishing criminal penalty for violation, by Representative Houser.

**HB 2426**, AN ACT concerning civil procedure; relating to the code of civil procedure; small claims procedure act; code of civil procedure for limited actions; amending K.S.A. 60-467 and 61-2706 and K.S.A. 2019 Supp. 61-2709 and 61-3105 and repealing the existing sections, by Representative Highberger.

**HB 2427**, AN ACT concerning income taxation; relating to Kansas adjusted gross income; providing subtraction modification for national service education awards; amending K.S.A. 79-32,117 and repealing the existing section, by Representative Murnan.

**HB 2428**, AN ACT concerning the board of technical professions; relating to license fees; promulgation of rules and regulations; amending K.S.A. 74-7009 and repealing the existing section, by Representative Dietrich.

**HB 2429**, AN ACT concerning the Kansas criminal justice reform commission; relating to membership; public defender; amending K.S.A. 2019 Supp. 21-6902 and repealing the existing section, by Representatives Owens and Finney.

**HB 2430**, AN ACT concerning property taxation; amending K.S.A. 79-5a27, 79-1466, 79-1467, 79-1801 and 79-2925b and K.S.A. 2019 Supp. 25-432 and repealing the existing sections; also repealing K.S.A. 79-2925c and K.S.A. 2019 Supp. 25-433a, by Representative Rhiley.

**HB 2431**, AN ACT concerning roads and highways; relating to the commemorative designation of a bridge on United State highway 166 as the SGT Tyler A Juden memorial bridge, by Representative Rhiley.

**HB 2432**, AN ACT concerning agriculture; relating to environmental remediation; establishing the Kansas pesticide waste disposal program and the Kansas pesticide waste disposal fund; allowing annual transfers from the Kansas agricultural remediation fund to the Kansas pesticide waste disposal fund; amending K.S.A. 2-3702 and K.S.A. 2019 Supp. 2-3708 and repealing the existing sections, by Representative Highland.

**HB 2433**, AN ACT designating the watermelon as the state fruit of Kansas, by Representative Samsel.

**HB 2434**, AN ACT concerning traffic regulations; relating to driving privileges; revoking the authority to suspend driving privileges for the nonpayment of fines from traffic citations; amending K.S.A. 2019 Supp. 8-2106 and 8-2110 and repealing the existing sections; also repealing K.S.A. 2019 Supp. 8-2110b, by Representative Finney.

**HB 2435**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; court fines; amending K.S.A. 2019 Supp. 21-6604 and repealing the existing section, by Representative Pittman.

**HB 2436**, AN ACT concerning taxation; relating to unpaid and overpayment of taxes; providing for the rate of interest; amending K.S.A. 79-2968 and repealing the existing section, by Representative Rhiley.

**HB 2437**, AN ACT concerning agriculture; relating to the labeling of certain foods; prohibiting the use of identifiable meat terms on labels or in advertisements of meat analogs without use of proper qualifying language; amending K.S.A. 65-656 and 65-665 and repealing the existing sections, by Representative Highland.

**HB 2438**, AN ACT concerning the state child death review board; relating to confidentiality of records; exceptions; amending K.S.A. 2019 Supp. 22a-243 and repealing the existing section, by Representative Concannon.

**HB 2439**, AN ACT concerning the legislative division of post audit; removing the requirement to submit certain reports thereto; amending K.S.A. 22-4514a, 75-3728c, 76-721 and 79-3233b and repealing the existing sections, by Committee on Legislative Post Audit Committee.

HOUSE CONCURRENT RESOLUTION No. **HCR 5016**—

By Representatives Victors, Alcalá, Ruiz, L. and Ruiz, S.

A CONCURRENT RESOLUTION urging Congress to ensure access to healthcare and other benefits for all veterans of the United States armed forces by enacting legislation to provide healthcare and other benefits to deported veterans.

WHEREAS, More than 300 immigrant veterans of the United States armed forces have been deported since 2013; and

WHEREAS, The U.S. Congress has incentivized non-citizen servicemembers to enlist in the armed forces by enacting legislation that extends eligibility for naturalization, promises a pathway to citizenship and provides healthcare benefits; and

WHEREAS, Around 5,000 legal permanent residents enlist to serve in the U.S. armed forces each year; and

WHEREAS, Immigrant servicemembers have been a vital part of the U.S. armed forces serving honorably since the American Revolution; and

WHEREAS, The men and women who have served in the U.S. armed forces are entitled to a variety of healthcare services, including hospital treatment, outpatient care, dental care, pharmaceutical services, counseling and more; and

WHEREAS, Deported veterans do not have access to programs and services provided by the Veterans Affairs system, denying them medical care, resources to claim disability compensation and other benefits they have earned through their service; and

WHEREAS, Deported veterans would seek treatment for post-traumatic stress disorder or other service-connected injuries, but because they are denied, their lives are at risk; and

WHEREAS, The U.S. Government Accountability Office found that the U.S. Immigration and Customs Enforcement has not consistently followed policies that would help ensure veterans receive the proper review before any removal proceedings; and

WHEREAS, The U.S. Department of Veterans Affairs' stated vision is to "provide veterans the world-class benefits and services they have earned"; and

WHEREAS, These men and women have served in the U.S. armed forces and have earned the right to receive healthcare and benefits: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That we urge Congress to ensure access to healthcare and other benefits for all veterans of the United States armed forces by enacting legislation to

provide healthcare and other benefits to deported veterans; and

Be it further resolved: That the Secretary of State shall send an enrolled copy of this resolution to the President and Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, members of the congressional delegation from Kansas, and to the President of the United States.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On emergency motion of Rep. Hawkins, **HCR 5017**, by Representatives Ryckman, Hawkins and Sawyer was introduced and adopted:

### HOUSE CONCURRENT RESOLUTION No. **HCR 5017**--

A CONCURRENT RESOLUTION providing for the appointment of a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the governor, and inform the governor that the two houses of the legislature are duly organized and are ready to receive any communications the governor may have to present.

In accordance with **HCR 5017**, Speaker Ryckman appointed Representatives Hawkins, Williams and Whipple to wait upon the Governor.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On emergency motion of Rep. Hawkins, **HCR 5018**, by Representatives Ryckman, Hawkins and Sawyer was introduced and adopted:

### HOUSE CONCURRENT RESOLUTION No. **HCR 5018**--

A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Senate and House of Representatives meet in joint session in Representative Hall at 6:00 p.m. on January 15, 2020, for the purpose of hearing a message from the Governor; and

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor; and

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

In accordance with **HCR 5018**, Speaker Ryckman appointed the following escorts:

To escort the Governor: Representatives Hawkins, Williams and Wolfe Moore

To escort the Lt. Governor: Representatives Landwehr, Adam Smith and Benson

To escort the Supreme Court: Representatives Claeys, Humphries and Xu

To escort the Senate: Representatives Erickson, Lynn and Stogsdill

**INTRODUCTION OF GUESTS**

Speaker Ryckman introduced Dr. Sheryl Beard, from the Kansas Academy of Family Physicians.

Dr. Beard received her medical degree from the University of Kansas School of Medicine-Wichita and completed her residency at the Via Christi Family Medicine Residency program in Wichita. After completing her residency training Dr. Beard joined the United States Air Force where she was stationed at McConnell Air Force Base in Wichita and served a tour in northern Iraq at Kirkuk Air Base in 2006. Once out of the military, Dr. Beard spent a short time in private practice before entering her academic career at Via Christi where she served on faculty from 2008 to 2019. In July 2019, Dr. Beard joined Ascension Medical Group in an exclusive arrangement with Spirit Aerosystems to provide direct primary care like model of care to a select group of Spirit employees.

Dr. Beard has been an active member of the Kansas Academy of Family Physicians since 2002, serving on the Board of Directors since 2009. Additionally, Dr. Beard has served on the KAFP Foundation Board of Trustees since 2013 and she currently holds the position of Secretary.

The Academy sponsors the doctor of the day program and provides daily assistance for health concerns of those serving the Statehouse during the session. We appreciate this program and your efforts, Dr. Beard. Thank you for again providing this service.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Tuesday, January 14, 2020.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

