

Journal of the House

FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 16, 2020, 11:00 a.m.

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

The roll was called with 119 members present.

Reps. Lynn and Neighbor were excused on verified illness.

Reps. Barker, Helgerson, Ryckman and A. Smith were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker,

Loving and gracious God,
As we come before You today,
we are grateful for the privilege of serving others.
Our leaders serve the people of this great state.
They represent the desires of their constituents.
The dilemma is that there are such a variety of opinions
and thoughts on what is important and how things should be done.
This is what makes serving difficult.
So, I ask that You help these leaders keep open communication,
mutual respect for one another, a willingness to listen to each other,
and open minds to all possibilities.
If their decisions reflect the heart and wisdom of You,
then the solutions will be a benefit to all.
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Baker.

INTRODUCTION OF GUESTS

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

Today I want to honor Shawnee Mission Northwest Senior Reis Miller. Joining us are his Mother Linda Miller and his father Matt Miller, Matt Ziegenhorn, Entrepreneurial Leadership Instructor, and Justin Hoffman, Culinary Director. Reis won the SkillsUSA Culinary National Championship in 2019. That is after having taken 2nd place nationally in 2018. He is also our Kansas SkillsUSA State Culinary Champion in both 2018 and 2019. Now, I know lunch is near and everyone is hungry so I will spare the body by not listing the amazing culinary works of art Reis prepared to win these awards.

On top of these honors, Reis has received more than \$500,000 in scholarship offers from the top culinary schools in the country. He has yet to decide where to attend, but I have volunteered to be a test subject for any meals he wants to experiment with before heading off to college.

Reis is a perfect example of the amazing opportunities non-traditional education experiences can provide. Shawnee Mission School District's dedication to building a culinary program has given thousands of students a chance to experience what working in this field would be like. It has helped Reis find this passion and hone his skills to the point where he is the literal best of the best. The program is so successful that the 2019 USA Skills College Champion is a SM East and SMSD culinary school Alumni.

So body please join me in congratulating our State and National Culinary Champion Reis Miller.

Rep. Cox presented Reis Miller with a framed House certificate.

INTRODUCTION OF GUESTS

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

The Kansas Agriculture and Rural Leadership Program, known as KARL is beginning its third decade of growing leaders in Kansas. By the time this class graduates, there will be nearly 450 Kansans making an impact in their communities from all areas of the state. KARL is a two year program that is more than field trips and speeches, it is an opportunity to explore our great state, make life long connections and learn skills needed to communicate, trust and be prepared for a world that is longing for leaders.

Joining us today are class participants from across Kansas and the remainder are in the gallery. Please join me in recognizing them. You will find graduates of KARL in leadership positions in many agriculture and rural organizations as well as top companies in Johnson and Sedgwick counties, even in this chamber as Representative Concannon was a member of Class 9 and I was a member of Class 3.

Members of KARL Class 15 include: Kim Baldwin, Inman; J.J. Bebb, Mound Valley; Leland Brown, Lenexa; Allison Burenheide, De Soto; Darci Cain, Ellis; Stewart Cauble, Liberal; Amy Doane, Downs; Jessica Ebert, Tescott; Karly Frederick, Pratt; Roy Frey, Sabetha; Sean Gatewood, Topeka; Kayla Jarvis, Phillipsburg; Justin Kaster, Manhattan; Austin Love, Garden City; Leigh Ann Maurath, Oakley; Kyler Millershaski, Lakin; Jesse Muller, Liberty; Jackie Mundt, Preston; Andrew Ochampaugh, Russell; Garrett Reiss, Kinsley; Kendra Riley, Manhattan; JR Robl, Manhattan; Clay Schemm, Sharon Springs; Anthony Sieler, Wichita; Bob Tempel, Wichita; Debra Teufel, Hutchinson; Shawn Thiele, Riley; and Beth Wiebert, Abilene. President of KARL, Jill Zimmerman; and Vice-President, Susan Sankey.

I ask you join me in recognizing 30 years of leadership development from the Kansas Agriculture and Rural Leadership Program.

PERSONAL PRIVILEGE

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

Rep. Winn encouraged fellow Representatives to join her at the Martin Luther King march today at the Capitol and she read the following Proclamation by the Governor.

TO THE PEOPLE OF KANSAS, GREETINGS:

WHEREAS, The Reverend Dr. Martin Luther King, Jr. was born on January 15, 1929, and lived his life promoting peace, freedom, equality and justice for all through non-violent means, becoming one of the outstanding civil rights leaders of our time; and

WHEREAS, Dr. King believed that a person's worth should not be measured by his or her color, culture, class, but rather by his or her commitment to creating a better life for all by living a life of service to others; and

WHEREAS, On August 28, 1963, standing on the steps of the Lincoln Memorial in Washington D.C., Dr. King triumphantly declared, "I have a dream that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident: that all men are created equal; I have a dream that my four children will one day live in a nation where they will not be judged by the color of their skin, but by the content of their character,'" and

WHEREAS, Dr. King's dream of a world free from prejudice and injustice has remained fixed in the collective consciousness of all Americans well beyond his tragic death on April 4, 1968; and

WHEREAS, We recognize the lasting truth of his works and his legacy, and we renew our commitment to the principles of justice, equality, opportunity and optimism that Dr. King espoused and exemplified;

NOW, THEREFORE, I, Laura Kelly, GOVERNOR OF THE STATE OF KANSAS, do hereby proclaim January 20th, 2020 as

Martin Luther King, Jr. Day

in Kansas and I urge all citizens to reflect upon Dr. King's message and celebrate diversity as one world and one community, to further advance the principles of justice and equality.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2446, AN ACT concerning crimes, punishment and criminal procedure; relating to property seized by law enforcement; receipt; return of weapons; amending K.S.A. 2019 Supp. 22-2512 and repealing the existing section, by Committee on Judiciary.

HB 2447, AN ACT concerning courts; relating to use of two-way electronic audio-visual communication; amending K.S.A. 12-4402, 12-4404, 12-4408, 22-2803 and 22-3205 and K.S.A. 2019 Supp. 12-4213, 22-2802, 22-3208, 22-3405, 38-2203, 38-2343, 38-2344 and 60-243 and repealing the existing sections, by Committee on Judiciary.

HB 2448, AN ACT concerning motor vehicles; relating to fleeing or attempting to elude a police officer; theft; evidence of intent to deprive an owner of possession; amending K.S.A. 2019 Supp. 8-1568, 21-5801 and 21-5804 and repealing the existing sections, by Committee on Judiciary.

HB 2449, AN ACT concerning the board of indigents' defense services; relating to appointments to the board; amending K.S.A. 22-4519 and repealing the existing section, by Committee on Judiciary.

HB 2450, AN ACT concerning cigarettes and tobacco products; relating to the Kansas clean indoor air act; prohibiting the use of electronic cigarettes in certain places;

amending K.S.A. 2019 Supp. 21-6109 and repealing the existing section, by Committee on Judiciary.

HB 2451, AN ACT concerning agriculture; relating to the Kansas department of agriculture; the division of animal health; license, permit and registration renewal deadlines; calfhood vaccination tag fees; amending K.S.A. 47-1208 and K.S.A. 2019 Supp. 47-1001e, 47-1002, 47-1503, 47-1805, 47-1831 and 47-2101 and repealing the existing sections, by Committee on Agriculture.

HB 2452, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; providing certain spousal and children's benefits for death resulting from service-connected disability; amending K.S.A. 74-4960a and repealing the existing section, by Committee on Financial Institutions and Pensions.

HB 2453, AN ACT concerning labor; relating to licensing of professional occupations; creating the open borders for Kansas jobs act; amending K.S.A. 1-302, 65-1152, 65-1505, 65-1663, 65-28a04, 65-28b03, 65-2906, 65-4203, 65-5406, 65-5506, 65-5906, 65-7203, 65-7503, 72-2157 and 75-7b04 and K.S.A. 2019 Supp. 65-6129 and 65-6306 and repealing the existing sections, by Representative Rhiley.

HB 2454, AN ACT concerning self-storage rental units; relating to sales or towing by operators of property due to abandonment or nonpayment of rent; contractual value of property; amending K.S.A. 58-816 and K.S.A. 2019 Supp. 58-817 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2455, AN ACT concerning state contracts; relating to bid preferences for business partnerships with the federal job corps program; amending K.S.A. 75-3740 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HOUSE CONCURRENT RESOLUTION No. **HCR 5019**—

By Committee on Federal and State Affairs

HCR 5019—A PROPOSITION to amend the bill of rights of the constitution of the state of Kansas by adding a new section thereto stating that there is no constitutional right to abortion, and reserving to the people the ability to regulate abortion through the elected members of the legislature of the state of Kansas.

WHEREAS, This proposition to amend the bill of rights of the constitution of the state of Kansas shall be known and may be cited as the Value Them Both Amendment.

Now, therefore:

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: The bill of rights of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 22. **Regulation of abortion.** Because Kansans value both women and children, the constitution of the state of Kansas does not require government funding of abortion and does not create or secure a right to abortion. To the extent permitted by the constitution of the United States, the people, through their elected state representatives and state senators, may pass laws regarding

abortion, including, but not limited to, in circumstances of pregnancy resulting from rape or incest, or when necessary to save the life of the mother."

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

"Explanatory statement. The Value Them Both Amendment would reserve to the people of Kansas, through their elected state legislators, the right to pass laws to regulate abortion because there is no Kansas constitutional right to abortion or to require the government funding of abortion.

"A vote for the Value Them Both Amendment would reserve to the people of Kansas, through their elected state legislators, the right to pass laws to regulate abortion because there is no Kansas constitutional right to abortion or to require the government funding of abortion.

"A vote against the Value Them Both Amendment would make no changes to the constitution of the state of Kansas and could prevent the people, through their elected state legislators, from regulating abortion in many circumstances. It would leave in place the newly discovered right to abortion first recognized in 2019."

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 primary election in August 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:

Corrections and Juvenile Justice: **HB 2445.**

Higher Education Budget: **HB 2443.**

Taxation: **HB 2441, HB 2442.**

Transportation: **HB 2444.**

COMMUNICATIONS FROM STATE OFFICERS

From From Elaine Frisbie, Kansas Board of Regents, in accordance with KSA 75-7226, the annual report on the KAN-ED Fund.

From Elaine Frisbie, Kansas Board of Regents, in accordance with state law, the annual report on several of the student financial aid programs administered by the Kansas Board of Regents.

From Elaine Frisbie, Kansas Board of Regents, in accordance with KSA 74-32,402, the annual report on the Postsecondary Technical Education Authority.

From Jeff Zmuda, Acting Secretary, Kansas Department of Corrections, pursuant to K.S.A. 75-52,148, report of Crimes Committed by Sex Offenders While in Custody.

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

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 1, by Representative Tom Cox, congratulating Reis Miller on 2019 “1st place Skills USA Culinary National championship;

Request No. 2, by Representative Brenda Dietrich, congratulating Washburn Rural High School Boys Cross country Team, Championship in 2019;

Request No. 3, by Representative Owen Donohoe, congratulating Mill Valley High School Girls Cross Country Team on winning the 2019 6A State Championship;

Request No. 4, by Representative Brenda Dietrich, congratulating Bruce Graham, CEO Kansas Electric, dedication, Principles of electric cooperatives trade association retirement;

Request No. 5, by Representative Fred Patton, congratulating Kelly Lenz, for over four decades, informed Kansas farmers and ranchers;

Request No. 6, by Representative Brandon Woodard, congratulating, Ethel June Nielson on her 100th birthday;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Finch announced the appointment of Rep. Ward to replace Rep. Hodge on Committee on Elections on January 16, 2020.

Also, the appointment of Rep. Wolfe Moore to replace Rep. Pittman on Committee on Transportation and Public Safety Budget on January 21, 2020.

Also, the appointment of Rep. Pittman to replace Rep. Wolfe Moore on Committee on Taxation on January 21, 2020.

Also, the appointment of Rep. Carmichael to replace Rep. Henderson on Committee on Federal and State Affairs on January 21, 2020.

Also, the appointment of Rep. Ohaebosim to replace Rep. Carmichael on Committee on Energy, Utilities and Telecommunications on January 21, 2020.

Also, the appointment of Rep. Parker to replace Rep. Carmichael on Committee on Corrections and Juvenile Justice on January 21, 2020.

Also, the appointment of Rep. Finney to replace Rep. Carmichael on Committee on Judiciary on January 21, 2020.

On motion of Rep. Hawkins the House adjourned pro forma until 8:00 a.m. on Friday, January 17, 2020.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

