

# Journal of the House

## EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, January 23, 2020, 11:00 a.m.

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

The roll was called with 121 members present.

Reps. Alcala and Donohoe were excused on verified illness.

Reps. Finney and Rhiley were excused on excused absence by the Speaker.

Prayer by guest chaplain, Father Patrick Rutledge, Rector, Assumption Chapel, St. Marys and guest of Rep. Awerkamp:

Let us pray...

Almighty God, you are the Alpha and the Omega, the beginning and the end of all things. You are not only the God of the individual, but also the God who created society and directs its laws. May your wisdom guide all of our deliberations today and may the natural law which you have written on our hearts always echo in our assemblies, so that the people of the state of Kansas may be blessed with the peace and happiness which the world cannot give. Your kingdom is not of this world, but you have prepared a kingdom for your children who inhabit this world and who need your fatherly guidance to lead us there.

Our Father, who art in heaven, hallowed be thy name, thy kingdom come, thy will be done on earth as it is in heaven. Give us this day, our daily bread and forgive us our trespasses, as we forgive those who trespass against us, and lead us not into temptation, but deliver us from evil. Amen.

May almighty God bless this assembly, in the name of the Father and of the Son and of the Holy Ghost. Amen.

The Pledge of Allegiance was led by Rep. Clark.

**INTRODUCTION OF GUESTS**

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

It is my distinct pleasure to introduce the players and coaches of the Washburn Rural High School Boys Cross Country Team, who are the 6A State Champions for 2019.

With this championship, Washburn Rural High School captured its FIRST ever Boys Cross Country Title. This team won their 13th straight City title and 2nd straight Centennial League Title.

Their Head Coach said these boys' commitment to not only become the best individual runners they could be, but to become the best TEAM they could be was unwavering. Every runner gave their absolute best effort for themselves, their team and their school every time they competed and from that dedication and hard work they earned every bit of their success as 6A State Champs.

I would like to introduce you to some outstanding young men who are also great athletes:

Senior Caleb Wright who will attend Baker University and plans to run Cross Country and Track.

Senior Rylan Brown who plans to attend Emporia State University and will also continue to run Cross Country and Track.

Senior Wyatt Allen is heading to Highland Community College where he will continue his academic, cross country and track career.

Senior Jordan Tremblay, who is headed to the University of Kansas.

Senior Jordan Munns, who is headed to Colorado School of Mines to study Environmental Engineering.

Juniors Jacob Mitchell and Arrik White.

Sophomores Spencer Haddock, Alexander Holmes, and Ethan Shorb.

The Head Coach of this championship team is Matt Swedlund, who graduated from Washburn Rural in 2002 and was a multi-sport star Cross Country and Track athlete who went on to run for Kansas State. The Assistant Coaches are Jim Wagner and Kathryn Louderback. In the gallery are the School District Superintendent, Dr. Scott McWilliams and the Athletic Director, Penny Lane.

Colleagues, please join me in congratulating the Boys 6A State Cross Country Championship Team from Washburn Rural High School!

Rep. Dietrich presented the team with a framed House certificate in recognition of their championship.

**INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Dietrich, on behalf of Rep. Donohoe, are spread upon the Journal:

It is my pleasure to introduce the players and coaches of the Mill Valley High School Girls Cross Country Team, who are the 6A State Champions for 2019. The Mill Valley High School is in the DeSoto School District.

With this championship, Mill Valley High School captured its 2nd straight Girls Cross Country Title. This team has won the Eastern Kansas League and Regional titles two years in a row, as well. Mill Valley Girls Cross Country team was undefeated

against Kansas schools in 2019 and have an overall record of 148 wins and only 2 losses.

Here is another fun fact.....This group boasts 48 State Championship Medals between Cross Country and Track.

These student athletes participate because this is what they love to do. They put in the work and the time to get better because they want to.....and that's what sports teaches you – to give it your all and never give up.

I would like to introduce you to some outstanding young women who just happen to be great athletes:

Senior Morgan Koca who is a 3-time state Cross Country medalist who plans to run Cross Country and Track in college.

Senior Jena Walker who is an Academic All-Stater and will attend Kansas State University in the fall.

Senior Molly Haymaker who is an all-league, all-region and all-state track athlete and will attend Kansas State University in the fall.

Senior Anna Ricker will also attend Kansas State in the fall.

Juniors Molly Ricker, Josie Tayler, Emma Scheiber and Emma Cross.

Sophomore Katie Schwartzkopf is a 2018 state champion.

In the gallery, we have the rest of the team and their coaches. If you would stand and wave. Sophomores, Quincy Huber, tBridget Roy ,Vania Arora and Freshmen, Cree Crawford. The Head Coach of this championship team is Chris McAfee. the assistant coaches are Madeline Byrd, Kati Strickland, and Brian Fitzsimmons.

Colleagues, please join me in congratulating the Girls 6A State Cross Country Championship Team from Mill Valley High School!

Rep. Dietrich presented the team with a framed House certificate in recognition of their championship.

## **PERSONAL PRIVILEGE**

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

Those participating with me today are: Rep. Blaine Finch; Rep. Brenda Landwehr; Rep. K.C. Ohaebosim; Rep. Jene Vickrey; Rep. Ponka-We Victors; and Rep. Brandon Woodard. I would also like to thank Bonnie Coverdale, my office assistant for discovering this speech.

Good morning. I am happy to present my annual Dr. Martin Luther King, Jr. Tribute to the House of Representatives.

I am proud to have my colleague, Rep. Jene Vickrey, stand with me this morning. We came into the House together in 1993, and have remained good friends all these years. He will open our tribute with quotes from Dr. King.

Martin Luther King, Jr., had immense wisdom in his advocacy of nonviolent change. He knew that the most important thing for living a just, peaceful and fulfilled life is love.

“Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that.”

“We must develop and maintain the capacity to forgive. He who is devoid of the

power to forgive is devoid of the power to love. There is some good in the worst of us and some evil in the best of us. When we discover this, we are less prone to hate our enemies.”

“Love is the only force capable of transforming an enemy into a friend.”

### HOW LONG, NOT LONG

“How Long, Not Long” is the popular name given to the public speech delivered by Martin Luther King, Jr., on the steps of the State Capitol in Montgomery, Alabama, after the successful completion of the Selma to Montgomery March on March 25, 1965. The speech is also sometimes referred to as “Our God Is Marching On!”

P.S. -- I participated in this March starting at the outskirts of Montgomery to the Capitol. It was my sophomore year at Webster College in St. Louis, Missouri, a Catholic women’s college at the time.

Key excerpts:

- “Last Sunday, more than eight thousand of us started on a mighty walk from Selma, Alabama. We have walked through desolate valleys and across the trying hills. We have walked on meandering highways and rested our bodies on rocky byways. Some of our faces are burned from the outpourings of the sweltering sun. Some have literally slept in the mud. We have been drenched by the rains. Our bodies are tired and our feet are somewhat sore.”
- “Now it is not an accident that one of the great marches of American history should terminate in Montgomery, Alabama. Just ten years ago, in this very city, a new philosophy was born of the Negro struggle. Montgomery was the first city in the South in which the entire Negro community united and squarely faced its age-old oppressors.”
- “They told us we wouldn’t get here. And there were those who said that we would get here only over their dead bodies, but all the world today knows that we are here and we are standing before the forces of power in the state of Alabama saying, “We ain’t goin’ let nobody turn us around.”
- “The battle is in our hands. And we can answer with creative nonviolence the call to higher ground to which the new directions of our struggle summons us. The road ahead is not altogether a smooth one. There are no broad highways that lead us easily and inevitably to quick solutions. But we must keep going.”
- “Our aim must never be to defeat or humiliate the white man, but to win his friendship and understanding. We must come to see that the end we seek is a society at peace with itself, a society that can live with its conscience. And that will be a day not of the white man, not of the black man. That will be the day of man as man.”
- “I know you are asking today, “How long will it take?” Somebody’s asking “When will the radiant star of hope be plunged against the nocturnal bosom of this lonely night, plucked from weary souls with chains of fear and the

manacles of death? How long will justice be crucified and truth bear it? I come to say to you this afternoon, however difficult the moment, however frustrating the hour, it will not be long because “truth crushed to earth will rise again.” How long? Not long? Because “you shall reap what you sow.”

- How Long? Not long, because the arc of the moral universe is long, but it bends toward justice.”
- “How long? Not long, because:

Mine eyes have seen the glory of the coming of the Lord;  
He is trampling out the vintage where the grapes of wrath are stored;  
He has loosed the fateful lightning of his terrible swift sword;  
His truth is marching on.  
He has sounded forth the trumpet that shall never call retreat;  
He is sifting out the hearts of men before His judgment seat.  
O, be swift, my soul, to answer Him! Be jubilant my feet!  
Our God is marching on.  
Glory, hallelujah! Glory, Hallelujah!  
Glory, hallelujah! Glory, Hallelujah!  
His truth is marching on.

Thank you very much for participating in this special tribute.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2467**, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; sexual battery; spouses; amending K.S.A. 2019 Supp. 21-5505 and repealing the existing section, by Committee on Judiciary.

**HB 2468**, AN ACT concerning crimes, punishment and criminal procedure; relating to abuse of a child; creating the crime of aggravated abuse of a child; criminal penalties; amending K.S.A. 2019 Supp. 21-5602 and repealing the existing section, by Committee on Judiciary.

**HB 2469**, AN ACT concerning crimes, punishment and criminal procedure; relating to terminal medical release; criteria for release; amending K.S.A. 2019 Supp. 22-3729 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2470**, AN ACT concerning crimes, punishment and criminal procedure; relating to certified drug abuse treatment programs; supervision and jurisdiction; amending K.S.A. 2019 Supp. 21-6610 and 21-6824 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2471**, AN ACT concerning the Kansas criminal justice reform commission; reimbursement for mileage for members who are not legislators or public employees; amending K.S.A. 2019 Supp. 21-6902 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2472**, AN ACT concerning crimes, punishment and criminal procedure; relating to certified drug abuse treatment programs; diversion agreements; amending K.S.A. 2019 Supp. 21-6824 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2473**, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; unlawful voluntary sexual relations; Kansas offender registration act; amending K.S.A. 2019 Supp. 21-5507 and 22-4902 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2474**, AN ACT concerning the Kansas offender registration act; relating to violation of act; penalties; waiver of fees by the court; obstructing apprehension or prosecution; amending K.S.A. 2019 Supp. 21-5913, 21-6804, 22-4903 and 22-4905 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2475**, AN ACT concerning the Kansas offender registration act; relating to drug offenses; law enforcement access; amending K.S.A. 2019 Supp. 22-4906 and 22-4909 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2476**, AN ACT concerning the national motto; relating to the display thereof in public buildings, by Representatives Capps, Bergquist, Blex, Collins, Donohoe, Dove, Garber, Helmer, Houser, Howard, Rhiley, Seiwert and Waggoner.

**HB 2477**, AN ACT concerning legal public holidays; designating General Election Day as a legal public holiday; amending K.S.A. 2019 Supp. 35-107 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2478**, AN ACT concerning insurance; relating to the third party administrators act; updating certain related definitions and requirements; amending K.S.A. 2019 Supp. 40-3801, 40-3810, 40-3812, 40-3813, 40-3815 and 40-3821 and repealing the existing sections, by Committee on Insurance.

**HB 2479**, AN ACT concerning insurance; relating to the corporate governance annual disclosure report; pertaining to filing procedures; required contents; codifying the national association of insurance commissioners corporate governance model regulation into statute; amending K.S.A. 2019 Supp. 40-2,203 and repealing the existing section, by Committee on Insurance.

**HB 2480**, AN ACT concerning insurance; relating to the long-term care insurance act; updating the definition of long-term care insurance; amending K.S.A. 40-2227 and repealing the existing section, by Committee on Insurance.

**HB 2481**, AN ACT concerning motor vehicles; relating to police vehicles; allowing police vehicles to equip blue-only lights; amending K.S.A. 2019 Supp. 8-1720 and repealing the existing section, by Committee on Transportation.

**HB 2482**, AN ACT concerning salvage vehicles; relating to the cost of repairs; excluding inflatable safety restraints from the definition of cost of repairs; amending K.S.A. 2019 Supp. 8-197 and repealing the existing section, by Committee on Transportation.

**HB 2483**, AN ACT concerning health and healthcare; relating to behavioral and mental health; prohibiting certain licensed individuals from using conversion therapy on minors; amending K.S.A. 65-2837 and 74-7507 and K.S.A. 2019 Supp. 65-1120 and repealing the existing sections, by Committee on Children and Seniors.

**HB 2484**, AN ACT concerning crimes, punishment and criminal procedure; sentencing; good time credits; amending K.S.A. 2019 Supp. 21-6821 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2485**, AN ACT concerning crimes, punishment and criminal procedure; relating to property crimes; loss values; amending K.S.A. 2019 Supp. 21-5802, 21-5813, 21-5821, 21-5825, 21-5828, 21-5830, 21-5927, 21-6002, 21-6004, 21-6005 and 21-6205 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2486**, AN ACT concerning property taxation; relating to motor vehicles; exemptions; military personnel; amending K.S.A. 79-5107 and repealing the existing section, by Committee on Veterans and Military.

**HB 2487**, AN ACT concerning education; relating to exceptional children and references to emotional disability; amending K.S.A. 72-3404 and 75-5399 and repealing the existing sections, by Committee on Education.

**HB 2488**, AN ACT concerning schools; relating to school districts and nonpublic schools; emergency medication kits for certain life threatening conditions; requiring a prescription for distribution of emergency medication to schools; administration of emergency medication by school personnel; training requirements; exempting certain persons from the practice of healing arts and civil liability if acting in good faith; amending K.S.A. 65-1680, 65-2872b and 72-6283 and repealing the existing sections, by Committee on Education.

**HB 2489**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the proud educator license plate, by Committee on Transportation.

**HB 2490**, AN ACT concerning income taxation; relating to corporations; providing for an extension of the net operating loss carryforward period; amending K.S.A. 79-32,143 and repealing the existing section, by Committee on Taxation.

**HB 2491**, AN ACT concerning taxation; relating to income tax, rates; sales and compensating use tax, providing for sales tax exemptions for food and food ingredients and feminine hygiene products, authorizing local sales tax on food and food ingredients; amending K.S.A. 79-32,110, 79-3602 and 79-3606 and K.S.A. 2019 Supp. 12-189a and repealing the existing sections, by Representatives Highberger, Benson, Clayton, Gartner, Horn, Ruiz, S. and Xu.

**HB 2492**, AN ACT concerning state officers and employees; relating to the Kansas public employees deferred compensation plan; ending participation of certain employees of the legislative branch; amending K.S.A. 74-4911f and repealing the existing section, by Committee on Appropriations.

**HB 2493**, AN ACT concerning the Kansas sentencing commission; relating to membership; legislative members; amending K.S.A. 74-9102 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2494**, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawfully tampering with electronic monitoring equipment; amending K.S.A. 2019 Supp. 21-6322 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture: **HB 2462**, **HB 2463**, **HB 2464**.

Judiciary: **HB 2461**.

K-12 Education Budget: **HB 2465**.

Taxation: **HB 2466**.

**COMMUNICATIONS FROM STATE OFFICERS**

From Connie Owen, Chair, Kansas Water Authority, 2020 Annual Report to the Governor and Legislature.

From Kirk D. Thompson, Director, Kansas Bureau of Investigation, in compliance with K.S.A. 60-4117, regarding the status of the KBI State Forfeiture Fund.

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

**REPORTS OF STANDING COMMITTEES**

Committee on **Transportation** recommends **HB 2431** be passed.

Committee on **Federal and State Affairs** recommends **HCR 5019** be adopted.

On motion of Rep. Hawkins, the House adjourned until 9:00 a.m., Friday, January 24, 2020.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

