

Journal of the House

TWENTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 21, 2020, 8:30 a.m.

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

The roll was called with 100 members present.

Reps. Capps and Samsel were excused on legislative business.

Reps. Concannon, Cox, Delperdang, Donohoe, Francis, Henderson, Hineman, Holscher, Jennings, Mason, Mastroni, Neighbor, Orr, Ousley, Phillips, Schreiber, Seiwert, E. Smith, Straub, Thimesch, Thompson, Victors and Wasinger were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker,

Gracious God,
thank You for this week
and all that was accomplished.
As our leaders return home for the weekend,
watch over them and may they have quality time with family
and get caught up on their work.
For those traveling to the funeral,
grant them safe travels.
Be with the Lewis family today
as they say their “see ya later’s”
to Representative Lewis.
Refuel, replenish, and rejuvenate each one
so that when they return on Monday,
they are ready to tackle the issues of the week.
This I pray in Your Name, Amen.

The Pledge of Allegiance was led by Rep. Waggoner.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2723, AN ACT concerning emergency medical services; relating to medical directors; requiring provision of medical oversight; amending K.S.A. 2019 Supp. 65-6112, 65-6124 and 65-6126 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2724, AN ACT concerning education; creating the Kansas student academic improvement act; amending K.S.A. 79-32,117 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2725, AN ACT concerning education; creating the Kansas exceptional child academic improvement act; amending K.S.A. 79-32,117 and repealing the existing section, by Committee on Federal and State Affairs.

CONSENT CALENDAR

No objection was made to **HB 2478**, **HB 2509**, **HB 2510**, **HB 2583** appearing on the Consent Calendar for the first day.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2621** be passed.

Committee on **Agriculture and Natural Resources Budget** recommends **HB 2688** be passed.

Committee on **Elections** recommends **HB 2687** be amended on page 1, in line 11, by striking all after "(b)"; by striking all in line 12; in line 13, by striking "(c)"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2563** be amended on page 2, in line 3, after "(c)" by inserting "'E-liquid" means a substance that may or may not contain nicotine and is intended to be aerosolized or vaporized and inhaled using an electronic cigarette.

(d) ";

Also on page 2, by striking all in lines 32 through 40;

On page 4, in line 2, by striking the first "or" and inserting a comma; also in line 2, after "devices" by inserting ", electronic cigarettes, e-liquids"; in line 3, after "from" by inserting "any combination of"; in line 4, by striking "the sale" and inserting "sales"; also in line 4, after "tobacco" by inserting ", tobacco products, smoking devices, electronic cigarettes or e-liquids";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 5, in line 7, by striking all after "(4)"; by striking all in lines 8 and 9; in line 10, by striking "(5)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 6, in line 31, after "material" by inserting ", alternative nicotine product"; in line 34, after "material" by inserting ", alternative nicotine product"; in line 37, before "and" by inserting "'alternative nicotine product'";

On page 7, in line 5, after "(b)" by inserting "'Alternative nicotine product" means any noncombustible product containing nicotine without the presence of tobacco leaf that is intended to be placed in the oral or nasal cavity, whether chewed, absorbed, dissolved or ingested by any other means. The term "alternative nicotine product" does not include cigarettes, electronic cigarettes, consumable material, tobacco products or any product regulated as a drug or device by the United States food and drug administration under chapter V of the federal food, drug and cosmetic act.

(c) ";

Also on page 7, in line 21, by striking all before "products" and inserting "regulated"; in line 27, by striking all after "of"; in line 28, by striking all before "products" and inserting "regulated"; in line 31, by striking "cigarettes,"; in line 32, by striking all before "products" and inserting "regulated";

On page 8, in line 7, by striking "cigarettes,"; in line 8, by striking all before "products" and inserting "regulated"; in line 20, after the semicolon by inserting "or"; following line 30, by inserting "(x) "Regulated products" means cigarettes, electronic cigarettes, consumable materials, alternative nicotine products and tobacco products."; in line 32, by striking all after "of"; in line 33, by striking all before "products" and inserting "regulated"; in line 36, by striking all after "of"; in line 37, by striking all before "products" and inserting "regulated"; in line 39, by striking all after "means"; in line 40, by striking all before "products" and inserting "regulated"; in line 42, by striking "cigarettes,"; in line 43, by striking all before "products" and inserting "regulated";

On page 9, in line 2, by striking all after "access"; in line 3, by striking all before "products" and inserting "regulated"; in line 5, by striking all after "sell"; in line 6, by striking all before "products" and inserting "regulated"; also in line 6, by striking "cigarettes,"; in line 7, by striking all before "products" and inserting "regulated"; in line 19, before "Tobacco" by inserting a quotation mark; also in line 19, after "products" by inserting a quotation mark;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 10, in line 13, after "material" by inserting ", alternative nicotine products"; in line 14, after "and" by inserting ", where applicable,"; in line 16, by striking all after "selling"; in line 17, by striking all before "products" and inserting "regulated";

On page 12, in line 5, by striking "\$100" and inserting "\$25";

On page 13, in line 6, by striking "cigarettes or tobacco" and inserting "regulated";

On page 14, in line 5, by striking "cigarettes or tobacco" and inserting "regulated";

On page 17, in line 9, by striking all after "distribute"; in line 10, by striking all before "products" and inserting "any regulated"; in line 11, by striking all after "buy"; in line 12, by striking "tobacco" and inserting "any regulated"; in line 19, by striking all after "sell"; in line 20, by striking all before "products" and inserting "regulated"; in line 26, after "material" by inserting ", alternative nicotine products"; in line 30, by striking all after "where"; in line 31, by striking all before "products" and inserting "regulated"; in line 38, by striking all after "where"; in line 39, by striking all before "products" and inserting "regulated"; in line 43, by striking all after "sell";

On page 18, in line 1, by striking "tobacco" and inserting "regulated"; in line 13, by striking all after "sell"; in line 14, by striking "tobacco" and inserting "regulated";

On page 19, in line 2, by striking "U.S." and inserting "United States"; in line 6, by striking all after "any"; in line 7, by striking all before the first comma and inserting "regulated products"; in line 26, after "that" by inserting "has not obtained a tobacco product clearance order from the United States food and drug administration pursuant to 21 U.S.C. § 387j"; in line 27, after "except" by inserting "tobacco- or"; in line 28, after "material" by inserting "that has not obtained a tobacco product clearance order from the United States food and drug administration pursuant to 21 U.S.C. § 387j"; also in line 28, after "except" by inserting "tobacco- or";

On page 20, in line 27, by striking "cigarettes,"; in line 28, by striking all before "products" and inserting "regulated"; in line 30, by striking all after "receive"; in line 31, by striking all before "products" and inserting "regulated"; in line 32, by striking all after "the"; in line 33, by striking all before "products" and inserting "regulated"; in line 37, by striking all after "receive"; in line 38, by striking all before "products" and inserting "regulated"; in line 41, by striking all after "of"; in line 42, by striking "tobacco" and inserting "regulated"; in line 43, by striking "cigarettes,";

On page 21, in line 1, by striking all before "products" and inserting "regulated"; in line 7, by striking all after "the"; in line 8, by striking "tobacco" and inserting "regulated"; in line 9, by striking all after "buying" and inserting "regulated";

On page 22, in line 1, by striking all before "products" and inserting "regulated"; in line 18, by striking all after "all"; in line 19, by striking "tobacco" and inserting "regulated"; in line 29, by striking all after "Any"; in line 30, by striking "tobacco" and inserting "regulated";

On page 23, in line 18, by striking all before "products" and inserting "regulated"; in line 32, by striking all after "Counterfeit"; in line 33, by striking all before "products" and inserting "regulated"; in line 34, by striking all after "counterfeit"; in line 35, by striking all before "products" and inserting "regulated"; also in line 35, by striking all after "include"; in line 36, by striking all before "products" and inserting "regulated"; in line 39, by striking all after "include"; in line 40, by striking "tobacco" and inserting "regulated"; in line 43, by striking all after "counterfeit";

On page 24, in line 1, by striking all before "products" and inserting "regulated"; in line 36, by striking all before "products" and inserting "regulated";

On page 25, in line 4, by striking all after "any"; in line 5, by striking all before "products" and inserting "regulated"; in line 6, by striking all after "any" and inserting "regulated"; in line 10, by striking all before "products" and inserting "regulated"; in line 15, by striking all after "of"; in line 16, by striking "tobacco" and inserting "regulated";

On page 26, in line 37, by striking all after "Any"; in line 38, by striking "tobacco" and inserting "regulated";

On page 27, in line 2, by striking "cigarettes,"; in line 3, by striking all before "products" and inserting "regulated"; in line 26, after "after" by inserting "July 1, 2021, and"; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2053** be amended on page 1, in line 6, by striking "2018" and inserting "2019";

On page 2, in line 13, after "materials" by inserting "for policies having a coverage start date on or after January 1, 2019"; in line 25, by striking all after the period; by striking all in lines 26 through 28; in line 29 by striking "health coverage for that month."; in line 30, by striking "2018" and inserting "2019";

On page 1, in the title, in line 2, by striking "2018" and inserting "2019"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2554**, **HB 2646**, **HB 2699** be passed.

Committee on **Rural Revitalization** recommends **HB 2677** be passed.

Committee on **Rural Revitalization** recommends **HB 2516** be amended on page 2, in line 7, by striking "January" and inserting "July";

On page 3, by striking all in lines 23 through 27;

On page 4, in line 20, by striking "January" and inserting "July"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2576** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REPORT OF STANDING COMMITTEE

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

Request No. 35, by Representative Jarrod Ousley, congratulating, Brain Injury Association of Kansas and Greater Kansas City.

Request No. 36, by Representative Lonnie G. Clark, congratulating, Peter "Pete" Paras, for his exemplary community volunteer work as Scoutmaster for Boy Scout Troop 41 in Junction City.

Request No. 37, by Representative Cheryl Helmer, congratulating, Winfield High School, Lexi Wilson, Ashley Jarvis, and Michael Endicott, being named National Champions in Engineering Technology\Design, first Kansas team to win this title.

Request No. 38, by Representative Jeff Pittman, congratulating, Leavenworth High School JROTC Raider Team, for winning the 2019 Raider National Championship.

Request No. 39, by Representative Jeff Pittman, congratulating, Joseph Purvis, for winning the 2019 Male Ultimate Raider National Championship.

Request No. 40, by Representative Jeff Pittman, congratulating, Konya Halle, for winning the 2019 Female Ultimate Raider National Championship.

Request No. 41, by Representative Kellie Warren, congratulating, Paige Lankford, for winning the 2020 Kansas Horizon Award, for Being an Exemplary First-Year Teacher.

Request No. 42, by Representative Kellie Warren, congratulating, Emily Moore, for winning the 2020 Kansas Horizon Award, for Being an Exemplary First-Year Teacher.

Request No. 43, by Representative Suzi Carlson, congratulating, Anthony R. Meals, for winning the 2019 National Association of Agriculture Educators Outstanding Early Career Teacher Award.

Request No. 44, by Representative Bill Sutton, congratulating, Levi Benjamin Foland on Achieving the rank of Eagle Scout, Troop 88.

Request No. 45, by Representative Bill Sutton, congratulating, Kaidyn Davis Manifold on Achieving the rank of Eagle Scout, Troop 888.

Request No. 46, by Representatives Barbara W. Ballard and Broderick Henderson, congratulating, KAPPA ALPHA PSI FRATERNITY, Mu Chapter, University of Kansas, on their 100th Anniversary.

Request No. 47, by Representative Susan Concannon, congratulating, Chad Lorenz for being named the 2018 Sunflower State Games Male Athlete and National Congress State Games Male Athlete of the Year.

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. Humphries to replace Rep. Francis on Committee on Appropriations on February 21, 2020.

Also, the appointment of Rep. Adam Smith to replace Rep. Concannon on Committee on Appropriations on February 21, 2020.

Also, the appointment of Rep. Thomas to replace Rep. Mason on Committee on Commerce, Labor and Economic Development on February 21, 2020.

Also, the appointment of Rep. Resman to replace Rep. Kessinger on Committee on Commerce, Labor and Economic Development on February 21, 2020.

Also, the appointment of Rep. Sutton to replace Rep. Hineman on Committee on Commerce, Labor and Economic Development on February 21, 2020.

Also, the appointment of Rep. Owens to replace Rep. Highland on Committee on Commerce, Labor and Economic Development on February 21, 2020.

Also, the appointment of Rep. Gartner to replace Rep. Henderson on Committee on Federal State Affairs on February 24, 2020.

Also, the appointment of Rep. Parker to replace Rep. Henderson on Committee on General Government Budget on February 24, 2020.

REPORT ON ENROLLED RESOLUTIONS

HR 6035 reported correctly enrolled and properly signed on February 21, 2020.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Monday, February 24, 2020.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

