

# Journal of the House

## EIGHTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 5, 2015, 11:00 a.m.

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

The roll was called with 118 members present.

Rep. Jennings was excused on legislative business.

Reps. Bridges, Goico, Hedke, Hildabrand, Kelley and Sawyer were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,  
Thank You for yet another day to be used by You  
to hopefully bring about goodwill.  
As these leaders face once again  
many seemingly insurmountable issues to resolve,  
bring to their hearts and minds Your words:  
“Forget the former things;  
do not dwell on the past.  
See, I am doing a new thing!  
Now it springs up;  
do you not perceive it?  
I am making a way in the desert  
and streams in the wasteland.  
Help us all to live in expectancy of this new thing.  
Abba Father,  
Please wrap your arms around Representative Hedke  
and his family in the tragic,  
sudden loss of his wife.  
We don't understand why these things happen.  
But we do know You are in control and  
that You can and will carry them  
through this dark valley.  
I also ask that You be with Representative Hildabrand  
and his family, as his grandfather  
is not doing well and has been placed in hospice.  
It is in Your name and in Your mercy and grace  
I ask these things. Amen.

(Isaiah 43:18-19)

The Pledge of Allegiance was led by Rep. B. Carpenter.

## **INTRODUCTION OF GUESTS**

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

In February 2013, the Wichita Police Department implemented a Homeless Outreach Team (HOT) pilot program. According to the annual point in time count for Wichita, Kansas, the chronic homeless population nearly doubled from 2009 to 2011. Like many other cities nationwide, Wichita frequently receives 911 calls regarding people who are experiencing homelessness and panhandling or drinking alcohol in public. As the homeless numbers increased, so did calls for service. Part of the mission of the Wichita Police Department is “improving the quality of life in our community.” And homelessness is a quality of life issue. Therefore, we began attending meetings with local homelessness service providers to develop rapport, build trust, and more importantly learn about the homelessness issues in Wichita.

Through these meetings we realized that by working in partnership with these providers, the Wichita Police Department (WPD) could get many people off of the streets and connected to valuable service programs. There are providers who specialize in outreach for specific populations, but few were all encompassing. In law enforcement, we found that we could be that missing link to help the homeless connect with case managers and/or submit referrals for the Wichita Sedgwick County Housing First Program. We also envisioned offering other services, which could help people experiencing homelessness be successful. These services include, but are not limited to, transportation to shelters or substance treatment centers, case management, assistance with employment, and diverting minor criminal charges away from the courts in lieu of homeless services.

WPD conducted research throughout the nation to find best practices in addressing the issue of homelessness. We found that the Colorado Springs Police Department’s model had won the 2010 Herman Goldstein award for community policing. This department implemented a Homeless Outreach Team in its community, dramatically reducing the homeless population. WPD members attended a training workshop with Colorado Springs officers, brought back what they learned, and in February 2013, the Wichita Police Department’s Homeless Outreach Team pilot program was initiated. WPD’s H.O.T. program has three full-time members and one supervisor - Officers Nathan Schwiethale, Officer Dave Nienstedt, Officer Lisa Berg and Sgt. Brett Stull.

WPD H.O.T. also began the “Finding A Way Home” program, which reunites people experiencing homelessness with family members who are willing to give them housing and offer assistance. To date, HOT has reunited over 100 homeless individuals utilizing this program.

HOT also assists people who are experiencing homelessness obtain employment. Once a person experiencing homelessness becomes housed through the Housing First program, HOT works with him or her to find employment and eventually become self-sufficient. This assistance includes job-readiness programs offered through the City of Wichita, the State of Kansas, and other employment programs. So far, the pilot program has helped over 50 people gain employment. One individual the HOT team helped had

incredible skills in construction. He is now the proud owner/operator of a very successful construction company. After being homeless for 20 years, his dream is now fulfilled.

Working with the Housing First program and other homeless providers has allowed the HOT team to witness tremendous accomplishments. Since February 2013, the Homeless Outreach Team has:

- Helped more than 300 people move from homelessness into permanent or transitional housing
- Reunited more than 100 people experiencing homelessness with family members or friends willing to take them in
- Helped more than 150 people experiencing homelessness obtain shelter
- Made contact with people experiencing homelessness more than 4,000 times.

The success of the WPD HOT program has been featured in numerous articles and news stories. HOT has also bridged the gap between police, the homeless population, and service providers. The three groups are now working together. In 2012, United States Interagency Council on Homelessness called for increased collaboration among law enforcement and behavioral health and social service providers.” In Wichita, we believe we have met the challenge.

The Wichita Police Department has won multiple awards including those from the Wichita Crime Commission, NAMI, The Red Cross, the Veterans Administration and among others. Wichita H.O.T. has been recognized as a best practice by the Federal Government and their United States Interagency Council on Homelessness and hired as a board member to implement their Criminal Justice Sustainable Implementation Guide (CJ SIG) for other police agencies across the nation that wish to implement a Homeless Outreach Team.

Rep. Anthimedes presented each team member with a framed House certificate.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2240**, AN ACT concerning taxation; relating to the board of tax appeals, small claims and expedited hearing division, hearing officers; amending K.S.A. 2014 Supp. 74-2433f and repealing the existing section, by Committee on General Government Budget.

**HB 2241**, AN ACT concerning insurance; relating to property and casualty insurance; pertaining to the unfair trade practice law; prohibiting the cancellation or nonrenewal of policies due to claims arising from natural causes; amending K.S.A. 40-2,122 and K.S.A. 2014 Supp. 40-2404 and repealing the existing sections, by Committee on Insurance.

**HB 2242**, AN ACT regulating traffic; concerning gross weight limits on wheels and axles, exceptions; amending K.S.A. 2014 Supp. 8-1908 and repealing the existing section, by None.

**HB 2243**, AN ACT concerning the Kansas state high school activities association; relating to children of military families, by Committee on Veterans, Military and Homeland Security.

**HB 2244**, AN ACT concerning children and families; enacting the safe families act,

by Committee on Health and Human Services.

**HB 2245**, AN ACT concerning water; relating to the water appropriation act; groundwater; procedure; amending K.S.A. 82a-717a and 82a-725 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2246**, AN ACT concerning municipalities; dealing with payment of claims; amending K.S.A. 2014 Supp. 12-105a and 12-105b and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2247**, AN ACT concerning workers compensation; relating to the department of corrections; coronary or cerebrovascular injury; amending K.S.A. 2014 Supp. 44-501 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2248**, AN ACT concerning economic development; relating to tax increment financing; eligible areas; amending K.S.A. 2014 Supp. 12-1770a and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

**HB 2249**, AN ACT concerning insurance; relating to transportation network company insurance; enacting the transportation network company driver and passenger protection act; providing definitions, requirements, limitations and policy amounts, by Committee on Insurance.

**HB 2250**, AN ACT concerning retirement and benefits; relating to the Kansas public employees retirement system and systems thereunder; providing a cost-of-living adjustment for certain retirees, by Committee on Pensions and Benefits.

**HB 2251**, AN ACT concerning elections; dealing with voting; amending K.S.A. 25-1132 and K.S.A. 2014 Supp. 25-3008 and repealing the existing sections, by Committee on Elections.

## **CORRECTION OF REFERENCE**

Speaker Merrick announced **HB 2228**, appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on Education, should be corrected to be referred to Committee on Veterans, Military and Homeland Security.

## **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2227**, **HB 2231**.

Education: **HB 2232**, **HB 2234**.

Energy and Environment: **HB 2233**.

Federal and State Affairs: **HB 2223**, **HB 2224**.

Health and Human Services: **HB 2225**, **HB 2226**, **HB 2230**, **HB 2239**.

Judiciary: **HB 2221**, **HB 2222**.

Local Government: **HB 2235**, **HB 2236**, **HB 2237**, **HB 2238**.

Transportation: **HB 2229**.

Veterans, Military and Homeland Security: **HB 2228**.

## **MESSAGE FROM THE SENATE**

Announcing passage of **SB 21**, **SB 23**.

Announcing adoption of **HCR 5002**, as amended.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 21, SB 23.**

**MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

On motion of Rep. Kuether, **HR 6007**, A RESOLUTION commemorating the 11<sup>th</sup> Anniversary of National Wear Red Day, was adopted.

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

First of all, I would like to thank you all for showing your support by wearing red! Heart disease is the number one killer of women – we all have women in our lives who are special – mothers, daughters, sisters, aunts.

So thank you for your support and let us continue the fight to stop this killer and so there's not a need for this reminder every year.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2003**, AN ACT concerning cities; relating to annexation; amending K.S.A. 12-520c and K.S.A. 2014 Supp. 12-520 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 2; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Ward, Winn.

Present but not voting: None.

Absent or not voting: Bridges, Goico, Hedke, Hildabrand, Jennings, Kelley, Sawyer.

The bill passed, as amended.

**HB 2008**, AN ACT concerning school district performance audits; amending K.S.A. 2014 Supp. 46-1226 and repealing the existing section; also repealing K.S.A. 2014 Supp. 46-1130 and 46-1132, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not

voting: 7.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Wymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Goico, Hedke, Hildabrand, Jennings, Kelley, Sawyer.

The bill passed, as amended.

**HB 2048**, AN ACT concerning crimes, punishment and criminal procedure; relating to search warrants; amending K.S.A. 2014 Supp. 22-2502 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Wymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Goico, Hedke, Hildabrand, Jennings, Kelley, Sawyer.

The bill passed, as amended.

**HB 2064**, AN ACT concerning insurance; relating to legal services insurance; amending K.S.A. 40-1102 and 40-4201 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Goico, Hedke, Hildabrand, Jennings, Kelley, Sawyer.  
The bill passed.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Barker, the House nonconcurrred in Senate amendments to **HCR 5002** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Kahrs and Trimmer as conferees on the part of the House.

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Elections** recommends **HB 2104** be passed.

Committee on **Insurance** recommends **HB 2066**, **HB 2126** be passed.

Committee on **Judiciary** recommends **HB 2111** be passed.

Committee on **Judiciary** recommends **HB 2101** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2097** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2252**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Armed services occupation medal license plate; amending K.S.A. 2014 Supp. 8-1,141 and 8-1,147 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

**HB 2253**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement for certain retirants employed as teachers; extending special provisions; amending K.S.A. 2014 Supp. 74-4937 and repealing the existing section, by Committee on Pensions and Benefits.

**COMMITTEE ASSIGNMENT CHANGE**

Speaker Merrick announced the appointment of Rep. Mast to replace Rep. Hedke on Committee on Education through the end of the day February 5. Rep. Hedke will resume his membership on the committee February 6.

**REPORT ON ENGROSSED BILLS**

**HB 2003, HB 2008, HB 2048** reported correctly engrossed February 4, 2015.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6004** reported correctly enrolled and properly signed on February 5, 2015.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Friday, February 6, 2015.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

