

# Journal of the House

TWENTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, February 8, 2016, 11:00 a.m.

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

The roll was called with 121 members present.

Rep. Seiwert was excused on verified illness.

Reps. Goico, Sawyer and Suellentrop were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,  
Thank you for this new week.  
We ask for You to  
guide our steps;  
guard our hearts;  
give us patience;  
govern our decisions;  
grant us wisdom;  
galvanize our discussions;  
gauge our rhetoric;  
and gift us with a spirit of gratitude.  
In Christ's Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Whipple.

## PERSONAL PRIVILEGE

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

The JAG-K program addresses the needs of students who may be at risk of not graduating and addresses their barriers. It includes adult mentoring, advisement and support. It serves high school and in some cases, junior high or middle school students as well

This program was adopted 3 years ago with 25 schools participating. The second year we grew to 50 schools and in this, our 3<sup>rd</sup> year, we serve 61 schools. Next year we are projected to be over 70.

The graduation rate of this very successful program is 93%. There are nearly 2000 students in the program and today we have 65 students and teachers visiting the capitol from many of our 61 schools, seated in the gallery.

Kathe Decker, former State Representative for the 64<sup>th</sup> District is with JAG-Kansas today and serves as their Vice President.

Students with the JAG-K program were recognized and welcomed by the members of the House.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2630**, AN ACT concerning education; relating to special education for exceptional children; gifted children; amending K.S.A. 72-977 and 72-53,111 and K.S.A. 2015 Supp. 72-962, 72-973, 72-987, 72-1111, 72-11a03, 72-6464 and 72-8302 and repealing the existing sections, by Committee on Education.

**HB 2631**, AN ACT concerning motor fuels tax; relating to refunds, ready-mixed concrete vehicles; amending K.S.A. 79-3453 and repealing the existing section, by Committee on Taxation.

**HB 2632**, AN ACT concerning the pooled money investment board; establishing the board as a separate state agency and eliminating certain administrative and budgetary duties relating to the board from the state treasurer; amending K.S.A. 2015 Supp. 75-4222 and repealing the existing section, by Committee on Insurance and Financial Institutions.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2628**.

Health and Human Services: **HB 2627**, **HB 2629**.

Taxation: **HB 2625**, **HB 2626**.

### CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2024** from Committee on Appropriations and rereferral to Committee on Judiciary.

Also, the withdrawal of **HB 2319** from Committee on Health and Human Services and rereferral to Committee on Appropriations.

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6036**—

By Representatives Todd and Boldra

A RESOLUTION designating February 9, 2016, as Kansas MS Action Day; recognizing the importance of moving closer to a world free of multiple sclerosis; and

expressing appreciation to the Mid America Chapter of the National Multiple Sclerosis Society for its work.

WHEREAS, Multiple sclerosis is an unpredictable, often disabling disease of the central nervous system that disrupts the flow of information within the brain and between the brain and body, with symptoms ranging from numbness and tingling to blindness and paralysis; and

WHEREAS, The progress, severity and specific symptoms of MS in any one person cannot yet be predicted, but advances in research and treatment are leading to a better understanding and moving us closer to a world free of MS; and

WHEREAS, Most people with MS are diagnosed between the ages of 20 and 50, with at least two to three times more women than men diagnosed with the disease. MS affects more than 2.3 million people worldwide, including 400,000 American and over 4,600 Kansans; and

WHEREAS, The Mid America Chapter of the National MS Society is committed to mobilizing the voices of people throughout Kansas who want to do something about MS now; and

WHEREAS, To fulfill this mission, the Society funds cutting-edge research, drives change through advocacy, facilitates professional education, collaborates with MS organizations around the world and provides services designed to help people with MS and their families move their lives forward; and

WHEREAS, Last year alone, through a comprehensive nationwide network, the Society devoted \$122.2 million to help more than one million individuals connect to the people, information and resources they need. To move closer to a world free of MS, the Society also invested \$54 million to support more than 380 new and ongoing research projects around the world; and

WHEREAS, Walk MS events are scheduled this spring in Kansas City, Hays, Hiawatha, Hutchinson, Lawrence, Manhattan, Salina, Topeka and Wichita; and

WHEREAS, On February 9, 2016, the National MS Society will sponsor MS Action Day at the Kansas State Capitol; and

WHEREAS, The mission of the National Multiple Sclerosis Society is to mobilize people and resources to drive research for a cure and to address the challenges of everyone affected by MS: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we declare February 9, 2016, as Kansas MS Action Day to raise awareness for this disease that has no known cause and no known cure. We recognize the importance of moving closer to a world free of multiple sclerosis and express appreciation to the Mid America Chapter of the National MS Society for its work.

## **INTRODUCTION OF ORIGINAL MOTIONS**

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Garber moved that the House reconsider its adverse action in not passing **SB 188** on Final Action (see previous action, HJ p. 2002). The motion did not prevail.

**REPORTS OF STANDING COMMITTEES**

Committee on **Agriculture and Natural Resources** recommends **HB 2480** be amended on page 5, in line 28, after "(a)" by inserting "Except as provided in subsection (b)."; in line 30, by striking all after "commissioner"; by striking all in lines 31 and 32; in line 33, by striking all before "shall";

On page 6, following line 20, by inserting:

"Sec. 11. K.S.A. 47-423 is hereby amended to read as follows: 47-423. Any person who causes to be brought into ~~any county~~ of the state from any other state for the purpose of grazing or feeding for a period of not to exceed ~~eight~~ 12 months, livestock which carry a brand or brands recorded in a recognized brand organization of any other state, shall ~~upon obtaining a permit from the commissioner~~ be exempt from the provisions of K.S.A. 47-420, and amendments thereto, for a period of ~~eight~~ 12 months. Out-of-state brands shall represent legal ownership for such 12-month period. After such time such brand or a new brand must be recorded in this state, ~~or an extension of such permit obtained from the commissioner. Failure to comply with the provisions of this section will render the party so violating liable for all damages resulting from such failure.~~";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "47-421" by inserting ", 47-423"; in line 4, by striking "47-"; in line 5, by striking "423,"; in line 6, by striking the seventh comma and inserting "and"; in line 7, by striking "and 47-448"; and the bill be passed as amended.

Committee on **Appropriations** recommends **SB 161** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 161," as follows:

"House Substitute for SENATE BILL NO. 161

By Committee on Appropriations

"AN ACT making and concerning appropriations for the fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, for the state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2015 Supp. 68-2320, 74-4914d, 74-4920, 74-50,107, 74-99b34, 75-2319, 75-6609 and 79-34,161 and repealing the existing sections..";

And the substitute bill be passed.

(**H Sub for SB 161** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2501** 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 **Corrections and Juvenile Justice** recommends **HB 2545** be amended on page 1, in line 35, after "magistrate" by inserting "and the prosecutor shall promptly notify any victim"; also in line 35, after the period by inserting "For the purposes of this subsection, victim shall include any victim of an alleged crime that resulted in the issuance of the arrest warrant, or, if the victim is deceased, the victim's family.";

On page 2, in line 2, after "counsel" by inserting ", any victim"; in line 10, after "counsel" by inserting ", any victim"; in line 13, after "the" by inserting "physical, mental or emotional"; in line 36, after "counsel" by inserting ", any victim";

On page 3, in line 7, by striking "not"; in line 8, by striking "and shall not be" and inserting "that is not";

On page 5, in line 8, after "magistrate" by inserting "and the prosecutor shall promptly notify any victim"; in line 11, after "counsel" by inserting ", any victim"; in line 19, after "counsel" by inserting ", any victim";

On page 6, in line 2, after "counsel" by inserting ", any victim"; in line 16, by striking "not"; in line 17, by striking "and shall not be" and inserting "that is not"; in line 30, by striking "and"; in line 35, after "movement" by inserting "; and

(5) "victim" shall include any victim of an alleged crime that resulted in the issuance of the search warrant, or, if the victim is deceased, the victim's family"; and the bill be passed as amended.

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 2633**, AN ACT enacting the KanCare bridge to a healthy Kansas program, by Committee on Federal and State Affairs.

**HB 2634**, AN ACT concerning agriculture; enacting the alternative crop research act; amending K.S.A. 2015 Supp. 21-5702 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2635**, AN ACT concerning labor and employment; relating to the workers compensation and employment security boards nominating committee; office of chairperson; amending K.S.A. 2015 Supp. 44-551 and repealing the existing section, by Representative Carmichael.

**HB 2636**, AN ACT concerning labor and employment; relating to the workers compensation and employment security boards nominating committee; open meetings and open records; amending K.S.A. 2015 Supp. 44-551 and repealing the existing section, by Representative Carmichael.

**HB 2637**, AN ACT concerning workers compensation; relating to medical guides for the determination of permanent impairment; amending K.S.A. 2015 Supp. 44-510d and 44-510e and repealing the existing sections, by Representative Carmichael.

**HB 2638**, AN ACT concerning asset seizure and forfeiture; relating to notification; disposition of property; proceeds of sale; amending K.S.A. 65-7014 and K.S.A. 2015 Supp. 60-4107 and 60-4117 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2639**, AN ACT concerning care and treatment of certain persons; enacting the emergency observation and treatment act; relating to mentally ill persons, persons with an alcohol or substance abuse problem and persons with co-occurring conditions; licensed crisis recovery centers; amending K.S.A. 59-2953, 59-2980, 59-29b53 and 59-29b80 and K.S.A. 2015 Supp. 59-2978 and 59-29b78 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2640**, AN ACT concerning the Kansas human rights commission; relating to complaints; authorizing electronic submission of materials to the commission; amending K.S.A. 2015 Supp. 44-1005 and repealing the existing section, by Committee on General Government Budget.

**HB 2641**, AN ACT concerning motor vehicles; relating to applications for registration; amending K.S.A. 2015 Supp. 79-5108 and repealing the existing section, by Committee on General Government Budget.

**HB 2642**, AN ACT concerning planning and zoning; amending K.S.A. 2015 Supp. 12-752 and repealing the existing section, by Representative Carmichael.

### **REPORT ON ENGROSSED BILLS**

**HB 2446** reported correctly engrossed February 4, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 9, 2016.

BECKIE HENDRICKS, JENNY HAUGH, *Journal Clerks*

SUSAN W. KANNARR, *Chief Clerk*.

