

Journal of the House

SIXTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 30, 2018, 11:00 a.m.

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

The roll was called with 124 members present.
Rep. Schwab was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
This is the day You have made,
we will rejoice and be glad in it...
and not dwell on what happened yesterday.
As our leaders go about their responsibilities,
fill them with a sense of awe and wonder
as they think about how amazing it is
to have the Creator of all
with them in everything they do.
May they walk humbly,
but confidently with You...
knowing that You are faithful.
Help them to not waste the day
but to grow in their knowledge of You.
Help them to draw on Your strength
and to rely on Your power.
Put aside their fears, anxiety and worries,
and help them put their faith and trust in You.
May they focus on the blessings they have
and trust You for the things they need.
Thank You for being in our midst and hearing our prayers.
In Your Holy Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Humphries.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2571, AN ACT concerning the open records act; relating to disclosure of criminal investigation records; disclosure of law enforcement recordings using a body camera or vehicle camera; amending K.S.A. 2017 Supp. 45-219, 45-221 and 45-254 and repealing the existing sections, by Representative Alcalá.

HB 2572, AN ACT concerning disclosure of economic development incentive data; relating to the Kansas taxpayer transparency act; STAR bonds; income tax credits; benefits received under the promoting employment across Kansas act; expenditures made from the job creation fund; property tax exemptions; amending K.S.A. 2017 Supp. 12-1744a, 74-72,123, 75-5133, 79-3234 and 79-32,267 and repealing the existing sections; also repealing K.S.A. 2017 Supp. 74-72,124, by Representatives K. Williams, E. Davis and Hawkins.

HB 2573, AN ACT concerning health and healthcare; relating to maternal deaths; study and investigation by the secretary of health and environment; access to records; confidentiality; amending K.S.A. 2017 Supp. 65-177 and repealing the existing section, by Committee on Health and Human Services.

HB 2574, AN ACT concerning health and healthcare; relating to the prescription monitoring program; pertaining to mandatory enrollment database access; amending K.S.A. 2017 Supp. 65-1685 and repealing the existing section, by Committee on Health and Human Services.

HB 2575, AN ACT concerning insurance; relating to health insurers and self-insurers; health care providers; medical care facilities; commissioner of insurance; enacting the patient right to shop act; rules and regulations, by Committee on Health and Human Services.

HB 2576, AN ACT concerning the Kansas asbestos control program; relating to fees, air quality fee fund; amending K.S.A. 2017 Supp. 65-3024, 65-5309 and 65-5314 and repealing the existing sections, by Committee on Water and Environment.

HB 2577, AN ACT concerning the Kansas emergency planning and community right-to-know act; relating to emergency response and planning; creating the Kansas right-to-know fee fund; amending K.S.A. 65-5704 and repealing the existing section, by Committee on Water and Environment.

HB 2578, AN ACT concerning school districts; relating to publication of bullying polices; amending K.S.A. 2017 Supp. 72-6147 and repealing the existing section, by Committee on Education.

HB 2579, AN ACT concerning civil actions; relating to wrongful conviction and imprisonment; compensation; amending K.S.A. 2017 Supp. 75-6117 and repealing the existing section, by Committee on Judiciary.

HB 2580, AN ACT concerning unfair trade and consumer protection; relating to the fair credit reporting act; security freeze on consumer report; fees; amending K.S.A. 50-722 and K.S.A. 2017 Supp. 50-723 and repealing the existing sections, by Committee on Judiciary.

HB 2581, AN ACT concerning crimes, punishment and criminal procedure; relating to giving a false alarm; criminal penalties; amending K.S.A. 2017 Supp. 21-6207 and repealing the existing section, by Representatives Carmichael, Whitmer and Markley.

HB 2582, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Committee on Joint Committee on Special Claims Against the State.

HB 2583, AN ACT concerning agriculture; relating to the control and eradication of noxious weeds in the state of Kansas; amending K.S.A. 2-1314b, 2-1320, 2-1323, 2-1330 and 2-1332 and K.S.A. 2017 Supp. 2-1314, 2-1315, 2-1316, 2-1317, 2-1318, 2-

1319, 2-1322 and 2-1331 and repealing the existing sections; also repealing K.S.A. 2-1316a, 2-1325, 2-1326, 2-1328 and 2-1329 and K.S.A. 2017 Supp. 2-1327 and 2-1334, by Committee on Agriculture.

HB 2584, AN ACT concerning property taxation; relating to distribution of taxes paid under protest; amending K.S.A. 2017 Supp. 79-2005 and repealing the existing section, by Committee on Taxation.

HB 2585, AN ACT concerning sales and compensating use tax; relating to sourcing, sales of motor vehicles; amending K.S.A. 2017 Supp. 12-191 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Children and Seniors: **HB 2570**.

Corrections and Juvenile Justice: **HB 2565, HB 2566, HB 2567, HB 2568**.

Energy, Utilities and Telecommunications: **HB 2563**.

Federal and State Affairs: **HB 2562**.

K-12 Education Budget: **HB 2561**.

Taxation: **HB 2569**.

Water and Environment: **HB 2564**.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HCR 5022** from the Committee on Judiciary and referral to the Committee on Elections.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6043**–

By Representative Claeys

A RESOLUTION urging the Federal Aviation Administration to accept Kansas' application for the Unmanned Aerial Systems Integration Pilot Program.

WHEREAS, The U.S. Department of Transportation's Federal Aviation Administration (FAA) established a pilot program to speed the integration of Unmanned Aerial Systems (UAS) into the National Airspace System (NAS) by creating partnerships between government bodies, UAS operators and other private stakeholders; and

WHEREAS, The goal of the program is to conduct advanced UAS operations safely and with public support with oversight by the FAA; and

WHEREAS, The program is designed to tackle the most significant challenges in integrating drones into the national airspace while reducing risks to public safety and security; and

WHEREAS, The program is further designed to provide greater regulatory certainty and stability to local governments and communities; and

WHEREAS, Industries within the State of Kansas could see immediate opportunities from the program, including commerce, search and rescue, emergency management, precision agriculture and infrastructure inspections and monitoring; and

WHEREAS, The program will evaluate a number of operational concepts, including night operations, flights over people, flights beyond the pilot's line of sight, package delivery, detect-and-avoid technologies, counter-UAS security operations, reliability and security of data links between pilots and aircraft, and local management of UAS operations subject to FAA oversight; and

WHEREAS, The State of Kansas is heavily vested in UAS and is demonstrating national leadership in this industry by becoming the first state to have an operational unmanned traffic management system in place for state agencies, all 138 airports and 37 institutions of higher education; and

WHEREAS, The program is an opportunity for state, local, and tribal governments to partner with private sector entities, such as UAS operators or manufacturers, to accelerate safe UAS integration; and

WHEREAS, The State of Kansas submitted an application to be included in the pilot program conducted by the FAA: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we urge the U.S. Department of Transportation to consider and select the application made by the State of Kansas in order to further promote unmanned aerial systems and the associated industries in Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to U.S. Department of Transportation Secretary Chao and an enrolled copy to each member of the Kansas congressional delegation.

REPORTS OF STANDING COMMITTEES

Committee on **Government, Technology and Security** recommends **HB 2446** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 46-2101 is hereby amended to read as follows: 46-2101. (a) There is hereby established the joint committee on information technology which shall be within the legislative branch of state government and which shall be composed of five members of the senate and five members of the house of representatives. Two of the senate members shall be appointed by the president of the senate, two of the senate members shall be appointed by the minority leader of the senate and one of the senate members shall be appointed by the chairperson of the committee on ways and means of the senate. Two of the representative members shall be appointed by the speaker of the house of representatives, two of the representative members shall be appointed by the minority leader of the house of representatives and one of the representative members shall be appointed by the chairperson of the committee on appropriations of the house of representatives. The members of the joint committee on information technology and the chairperson and vice-chairperson serving in such capacities on the effective date of this act shall continue serving as members and in such capacities, respectively, subject to the other provisions of this section.

(b) All members of the joint committee on information technology shall serve for terms ending on the first day of the regular legislative session in odd-numbered years. The joint committee shall organize annually and elect a chairperson~~—and~~, vice-chairperson and ranking minority member in accordance with this subsection. On and after the first day of the regular legislative session in odd-numbered years, the chairperson shall be one of the representative members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the

senate members elected by the members of the joint committee and, after the first day of the regular legislative session in even-numbered years, the chairperson shall be one of the senate members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the representative members of the joint committee elected by the members of the joint committee. The ranking minority member shall be one of the members of the joint committee elected by the members of the joint committee. The ranking minority member shall be from the same chamber as the chairperson. The chairperson ~~and~~ vice-chairperson ~~and~~ ranking minority member of the joint committee shall serve in such capacities until the first day of the regular legislative session in the ensuing year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. If a vacancy occurs in the office of chairperson or vice-chairperson, a member of the joint committee, who is a member of the same house as the member who vacated the office, shall be elected by the members of the joint committee to fill such vacancy.

(c) A quorum of the joint committee on information technology shall be six. All actions of the joint committee shall be taken by a majority of all of the members of the joint committee.

(d) The joint committee on information technology may meet at any time and at any place within the state on the call of the chairperson.

(e) The provisions of the acts contained in article 12 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, applicable to special committees shall apply to the joint committee on information technology to the extent that the same do not conflict with the specific provisions of this act applicable to the joint committee.

(f) In accordance with K.S.A. 46-1204 and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee on information technology.

(g) The joint committee on information technology may introduce such legislation as it deems necessary in performing its functions.

(h) (1) On the effective date of this act the joint committee on computers and telecommunications shall be and is hereby officially designated as the joint committee on information technology.

(2) On and after the effective date of this act, whenever the joint committee on computers and telecommunications, or words of like effect, is referred to or designated by a statute, contract or other document, created before the effective date of this act, the reference or designation shall mean and apply to the joint committee on information technology.

(3) Nothing in this act shall be construed as abolishing or reestablishing the joint committee on computers and telecommunications.";

On page 2, in line 36, before "K.S.A." by inserting "K.S.A. 46-2101 and"; also in line 36, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "amending" by inserting "K.S.A. 46-2101 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

REPORT ON ENGROSSED BILLS

HB 2439 reported correctly engrossed January 26, 2018.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Wednesday, January 31, 2018.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

