

Journal of the House

FIFTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, April 5, 2018, 11:00 a.m.

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

The roll was called with 119 members present.

Reps. Henderson and Schwab were excused on verified illness.

Reps. Arnberger, Claeys, Frownfelter and Hawkins were excused on excused absence by the Speaker.

Prayer by guest chaplain, Pastor Jim Dillon, Calvary Baptist Church, Stafford, and guest of Rep. Lewis.

Heavenly Father,

We praise You today because You are the God of the Universe. You are the Lord of Heaven and Earth. You have made the world and everything in it. It is only because of You that we live, move and have our being.

Father, we thank You for the physical blessings of life, how you supply our every need. We are especially thankful for the spiritual blessings we have through faith in You. And we thank you for this day and for the opportunity to live here in Kansas and for these good people who are representing and serving the people of Kansas.

I pray for these men and women of this legislative Body. Fill them with wisdom and courage to do what is right and best for the people of Kansas. Grant them insight and strength to deal with the complex issues of today. Enable them to resist all pressure or counsel that might lead them to violate their oath of office. And may they be good examples of what it means to be servant leaders.

Lord, bless them for their willingness to serve the citizens of Kansas. Give them purpose and joy in their work for the people.

For we pray for our good and Your glory –

In His Name, Amen

The Pledge of Allegiance was led by Rep. Holscher.

INTRODUCTION OF GUESTS

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

Today I am joined on the floor by talented young ladies who are truly uncommon. These young women are the 2018 Basketball 6A State Champions. They focus on being

“uncommon” in everything they do. They focus not only on the details of doing things the right way on the court, but also on the details of doing things the right way in their own lives. This season the team has fully invested in being “uncommon.” They are a team full of talent, however they are way more concerned about playing for one another than as individuals. This attitude took them to great heights this year. It allowed them to lift the state championship trophy high in the air.

Off the court, the players have invested their time into working with the young girls who look up to them. They have also participated in community service, such as road side assistance for the Wichita Marathon.

The team’s total GPA is 3.2.

The Derby team has been to four state final games; 1984, 1985, 2017, and 2018. In 2017, they lost by only two points. This season was the very first time the Derby High School Girls Basketball team won the State Championship. USA Today ranked the Derby girls’ basketball team at #10 in the Frontier Region that includes all high schools in the states of Kansas, Oklahoma, Arkansas, Texas, New Mexico, Colorado, Utah, Idaho, Montana, and Wyoming.

Rep. Carpenter introduced the team to the House.

Jaidyn Schomp
Katelyn Kennedy
Kennedy Brown
Kenni Jenson
Kazia Nero
Ahdaya Myers
Aliyah Myers
Holly Mills
Head Coach, Jodie Karsak
Assistant Coach, Jessica Diamond

Body, please join me in congratulating the Derby High School Girls Basketball team.

Rep. Carpenter presented the team with a framed House certificate.

INTRODUCTION OF GUESTS

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

Colleagues, in 1912, in the midst of the Progressive Era and at a time when women in the United States couldn’t yet vote, Juliette Gordon Low envisioned an organization that would prepare girls to meet their world with courage, confidence, and character. It was under her leadership in her hometown of Savannah, Georgia that the Girl Scout Movement was born and redefined what was possible for themselves and for girls everywhere.

Today, it is my honor to welcome the Leawood Cadettes, Troop 108.

These 6th grade girls have been together since 1st grade and over the years they have climbed towers at Ironwoods Park, built fires, taken archery class, and camped under the stars. They have filled backpacks for hungry students, collected personal hygiene items for citizens in need, contributed cookie funds to a dog rescue, and sang Christmas carols to memory care patients in nursing homes.

They have also hosted World Thinking Day for their service unit and earned their Bronze award. Over the years, they have sent hundreds of cases of cookies to our troops serving in Afghanistan.

In short, these girls work together to make the world a better place with courage, confidence, and character.

Rep. Koesten introduced the following troop members to the House:

Evie Burgess
 Mae Briggs
 Rylee Lipplegoos
 Ellison Clark
 Claire Younger
 Amira Dvorak
 Cami Boyce
 Ella Kirwin

I would also like to acknowledge troop leader, Kristi Burgess and all the other parents who make time to support and guide their daughters and the daughters of others: Ann Briggs and her younger daughter Erin; Wendy Kirwin; Kristen Younger and her younger daughter Lauren.

MESSAGES FROM THE GOVERNOR

HB 2472, HB 2501, HB 2541, HB 2558, HB 2650 approved on April 4, 2018.

MESSAGES FROM THE SENATE

The Senate concurs in House amendments to **SB 394**.

The Senate adopts the Conference Committee report on **HB 2470**.

The Senate adopts the Conference Committee report on **HB 2606**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Dietrich, **HR 6059**, by Reps. Dietrich, Alford, Baker, Bishop, Blex, Brim, Burroughs, Clark, Clayton, Cox, Crum, Curtis, Deere, Dierks, Elliott, Ellis, Eplee, Finney, Gallagher, Garber, Good, Hoffman, Holscher, Horn, Huebert, Judd-Jenkins, Kelly, Kessinger, Koesten, Lewis, Markley, Mason, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Patton, Phelps, Resman, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, Swanson, Tarwater and Wheeler, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6059**—

HR 6059—A RESOLUTION recognizing the month of April as Child Abuse Prevention Month.

WHEREAS, Children are key to the state's future success, prosperity and quality of life and, while children are our most valuable resource, they are also our most vulnerable; and

WHEREAS, Children have a right to be safe and to be provided an opportunity to thrive, learn and grow; and

WHEREAS, Child abuse and neglect can be prevented by supporting and strengthening Kansas' families, which can help provide children the opportunity to

develop healthy, trusting family bonds, and, consequently, prevent the far-reaching effects of maltreatment and build the foundations of communities; and

WHEREAS, Since it is our duty as a community to extend a helping hand to children and families in need, we must come together as partners to make the voices of our children heard by all; and

WHEREAS, By providing safe, stable and nurturing relationships for our children, free of violence, abuse and neglect, we can ensure that Kansas' children will grow to their full potential as the next generation of leaders, and thus help to secure the future of this state and nation: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the month of April as Child Abuse Prevention Month; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Dietrich.

INTRODUCTION OF GUESTS

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

The month of April is Child Abuse Prevention Month and you all have a Pinwheel on your desk with a letter from the Children and Seniors Committee.

The pinwheel is the national symbol for child abuse prevention serving as a reminder that children should be raised in safe, stable and nurturing environments free from abuse and neglect.

Today we join the Kansas Children's Service League through this resolution in their efforts to raise awareness for the need to prevent child abuse and neglect. With us is Dona Booe, CEO and President of KCSL. Her organization has advocated for children for 125 years and has impacted the lives of more than 40,000 children and families each year by focusing on preventing child abuse, strengthening families and empowering parents and youth.

Each of us can help by remembering the simple phrase, "if you see something, say something." Report child abuse and neglect and support community service interventions that mitigate childhood and family risk factors. Children are key to our state's future success, prosperity and quality of life, and, while children are our most valuable resource, they are also our most vulnerable.

Child abuse and neglect can be prevented by supporting and strengthening Kansas' families, which can help provide children the opportunity to develop healthy, trusting family bonds and prevent the far-reaching effects of abuse.

I hope you will agree that it is our duty to extend a helping hand to children and families in need to ensure that Kansas' children will grow to their full potential as the next generation of leaders and help to secure the future of this state and nation.

Therefore, be it resolved by the House of Representatives of the State of Kansas that we recognize the month of April as Child Abuse Prevention Month and thank Dona Booe and Kansas Children's Service League for their great work preventing child abuse in Kansas.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Lusker, **HR 6054**, A RESOLUTION congratulating and commending the Pittsburg State University men's indoor track and field team on their 2018 NCAA Division II national championship, was adopted.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 272** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 11, following line 16, by inserting:

(h) For a second violation of K.S.A. 8-1556, and amendments thereto, within five years after a prior conviction of K.S.A. 8-1556, and amendments thereto, such person, upon conviction, shall be fined \$750 for the second violation. For a third and each succeeding violation of K.S.A. 8-1556, and amendments thereto, within five years after two prior convictions of K.S.A. 8-1556, and amendments thereto, such person, upon conviction, shall be fined \$1,000 for the third and each succeeding violation.

New Sec. 3. (a) Notwithstanding any other laws to the contrary, an emergency vehicle may operate at a gross weight not exceeding 86,000 pounds, subject to a maximum weight of:

- (1) 24,000 pounds on a single steering axle;
- (2) 33,500 pounds on a single drive axle;
- (3) 62,000 pounds on a tandem axle;
- (4) 52,000 pounds on a tandem rear drive steer axle.

(b) As used in this section, "emergency vehicle" means a vehicle designed to be used under emergency conditions to:

- (1) Transport personnel and equipment; and
- (2) support the suppression of fires and mitigation of other hazardous situations.

"Sec. 4. K.S.A. 2017 Supp. 8-15,108 is hereby amended to read as follows: 8-15,108. (a) It shall be unlawful for any person to operate a golf cart: (1) On any interstate highway, federal highway or state highway; (2) on any public highway or street within the corporate limits of any city unless authorized by such city; or (3) on any street or highway with a posted speed limit greater than 30 miles per hour.

(b) The provisions of subsection (a) shall not prohibit a golf cart from crossing a federal or state highway or a street or highway with a posted speed limit in excess of 30 miles per hour.

(c) A golf cart shall be operated on any public street or highway only during the hours between sunrise and sunset, unless equipped with: (1) Lights as required by law for motorcycles; and (2) a properly mounted slow-moving vehicle emblem as required by K.S.A. 8-1717, and amendments thereto.

(d) This section shall be part of and supplemental to the uniform act regulating traffic on highways.

Sec. 5. K.S.A. 2017 Supp. 8-1904 is hereby amended to read as follows: 8-1904. (a) No vehicle including any load thereon shall exceed a height of 14 feet, except that a vehicle transporting cylindrically shaped bales of hay as authorized by K.S.A. 8-

1902(e), and amendments thereto, may be loaded with such bales secured to a height not exceeding 14 $\frac{1}{2}$ feet. Should a vehicle so loaded with bales strike any overpass or other obstacle, the operator of the vehicle shall be liable for all damages resulting therefrom. The secretary of transportation may adopt rules and regulations for the movement of such loads of cylindrically shaped bales of hay.

(b) No motor vehicle including the load thereon shall exceed a length of 45 feet extreme overall dimension, excluding the front and rear bumpers, except as provided in subsection (d).

(c) Except as otherwise provided in K.S.A. 8-1914 and 8-1915, and amendments thereto, and subsections (d), (e), (f), (g), (h) ~~and~~, (i) and (j), no combination of vehicles coupled together shall exceed a total length of 65 feet.

(d) The length limitations in subsection (b) shall not apply to a truck tractor. No semitrailer which is being operated in combination with a truck tractor shall exceed 59 $\frac{1}{2}$ feet in length. No semitrailer or trailer which is being operated in a combination consisting of a truck tractor, semitrailer and trailer shall exceed 28 $\frac{1}{2}$ feet in length.

(e) The limitations in this section governing maximum length of a semitrailer or trailer shall not apply to vehicles operating in the daytime when transporting poles, pipe, machinery or other objects of a structural nature which cannot readily be dismembered, except that it shall be unlawful to operate any such vehicle or combination of vehicles which exceeds a total length of 85 feet unless a special permit for such operation has been issued by the secretary of transportation or by an agent or designee of the secretary pursuant to K.S.A. 8-1911, and amendments thereto. For the purpose of authorizing the issuance of such special permits at motor carrier inspection stations, the secretary of transportation may contract with the superintendent of the Kansas highway patrol for such purpose, and in such event, the superintendent or any designee of the superintendent may issue such special permit pursuant to the terms and conditions of the contract. The limitations in this section shall not apply to vehicles transporting such objects operated at nighttime by a public utility when required for emergency repair of public service facilities or properties or when operated under special permit as provided in K.S.A. 8-1911, and amendments thereto, but in respect to such night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

(f) The limitations of this section governing the maximum length of combinations of vehicles shall not apply to a combination of vehicles consisting of a truck tractor towing a house trailer, if such combination of vehicles does not exceed an overall length of 97 feet.

(g) The length limitations of this section shall not apply to stinger-steered automobile or boat transporters or one truck and one trailer vehicle combination, loaded or unloaded, used in transporting a combine, forage cutter or combine header to be engaged in farm custom harvesting operations, as defined in K.S.A. 8-143j(d), and amendments thereto. A stinger-steered boat transporter or one truck and one trailer vehicle combination, loaded or unloaded, used in transporting a combine, forage cutter or combine header to be engaged in farm custom harvesting operations, as defined in K.S.A. 8-143j(d), and amendments thereto, shall not exceed an overall length limit of 75 feet, exclusive of front and rear overhang. A stinger-steered automobile transporter shall not exceed an overall length limit of 80 feet, exclusive of front and rear overhang.

(h) The length limitations of this section shall not apply to drive-away saddlemount or drive-away saddlemount with fullmount vehicle transporter combination. A drive-away saddlemount or drive-away saddlemount with fullmount vehicle transporter combination shall not exceed an extreme overall dimension of 97 feet.

(i) The length limitations of this section shall not apply to a one truck-tractor two trailer combination or one truck-tractor semitrailer trailer combination used in transporting equipment utilized by custom harvesters under contract to agricultural producers to harvest wheat, soybeans or milo, during the months of April through November, but the length of the property-carrying units, excluding load, shall not exceed 81½ feet.

(j) The length limitations of this section shall not apply to a towaway trailer transporter combination consisting of a trailer transporter towing unit and two trailers or semitrailers with a total weight not exceeding 26,000 pounds and in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor or dealer of such trailers or semitrailers. Such towaway trailer transporter combination shall not exceed a length of 82 feet. As used in this subsection, "a trailer transporting towing unit" means a power unit that is not used to carry property when operating in a towaway trailer transporter combination."

Also on page 11, in line 17, after "Supp." by inserting "8-15,108, 8-1904 and"; also in line 17, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "overtaking and passing of school buses; operation of golf carts, required equipment for night use; length of vehicles, certain vehicle combinations; gross weight limits, emergency vehicles;"; also in line 2, after "Supp." by inserting "8-15,108, 8-1904 and"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

RICHARD J. PROEHL

SHANNON FRANCIS

ADAM LUSKER

Conferees on part of House

MIKE PETERSEN

DANIEL GODDARD

PAT PETTEY

Conferees on part of Senate

On motion of Rep. Proehl, the conference committee report on **Sub SB 272** was adopted.

On roll call, the vote was: Yeas 111; Nays 8; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burroughs, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Esau, Finch, Finney, Francis, Gallagher, Gartner, Good, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger,

Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: Burris, Corbet, Ellis, Garber, Helgerson, K. Jones, Mason, Vickrey.

Present but not voting: None.

Absent or not voting: Arnberger, Claeys, Frownfelter, Hawkins, Henderson, Schwab.

CONFERENCE COMMITTEE REPORT

On motion of Rep. Proehl to adopt the conference committee report on **SB 375**, Rep. Francis offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

The substitute motion of Rep. Francis prevailed and Speaker Ryckman thereupon appointed Reps. Proehl, Francis and Lusker as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2606** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 2, in line 13, before "are" by inserting "or the motorcycle safety foundation"; in line 14, after the period by inserting "An applicant seeking exemption from the written and driving tests pursuant to this paragraph shall provide a copy of the motorcycle safety foundation completion form to the division prior to receiving a class M license."; in line 16, by striking "administered by the division"; in line 20, by striking "administered by the division"; in line 22, after the period by inserting "The driving examination required by this paragraph shall be administered by the division, by the department of defense or as part of a curriculum recognized by the motorcycle safety foundation.";

On page 6, following line 4, by inserting:

"Sec. 2. K.S.A. 2017 Supp. 8-247 is hereby amended to read as follows: 8-247. (a) (1) All original licenses issued on and after July 1, 2018, shall expire as follows:

(A) Licenses issued to persons who are at least 21 years of age, but less than 65 years of age shall expire on the sixth anniversary of the date of birth of the licensee which is nearest the date of application;

(B) licenses issued to persons who are 65 years of age or older shall expire on the fourth anniversary of the date of birth of the licensee which is nearest the date of application;

(C) any commercial drivers license shall expire on the ~~fourth~~ fifth anniversary of the date of birth of the licensee which is nearest the date of application;

(D) licenses issued to an offender, as defined in K.S.A. 22-4902, and amendments

thereto, who is required to register pursuant to the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall expire every year on the date of birth of the licensee; or

(E) licenses issued to persons who are less than 21 years of age shall expire on the licensee's ~~twenty-first~~ 21st birthday.

(2) All renewals under: (A) Paragraph (1) (A) shall expire on every sixth anniversary of the date of birth of the licensee; (B) paragraph (1) (B) ~~and (C)~~ shall expire on every fourth anniversary of the date of birth of the licensee; (C) paragraph (1) (C) shall expire on every fifth anniversary of the date of birth of the licensee; (D) paragraph (1)(D) shall expire every year on the date of birth of the licensee; and ~~(D)~~ (E) paragraph (1) (E), if a renewal license is issued, shall expire on the licensee's ~~twenty-first~~ 21st birthday. No driver's license shall expire in the same calendar year in which the original license or renewal license is issued, except that if the foregoing provisions of this section shall require the issuance of a renewal license or an original license for a period of less than six calendar months, the license issued to the applicant shall expire in accordance with the provisions of this subsection.

(b) If the driver's license of any person expires while such person is outside of the state of Kansas and such person is on active duty in the armed forces of the United States, or is the spouse or a person who is residing with and is a dependent of such person on active duty, the license of such person shall be renewable, without examination, at any time prior to the end of the sixth month following the discharge of such person from the armed forces, or within 90 days after residence within the state is reestablished, whichever time is sooner. If the driver's license of any person under this subsection expires while such person is outside the United States, the division shall provide for renewal by mail, as long as the division has a photograph or digital image of such person maintained in the division's records. A driver's license renewed under the provisions of this subsection shall be renewed by mail only once.

(c) At least 30 days prior to the expiration of a person's license the division shall mail a notice of expiration or renewal application to such person at the address shown on the license. The division shall include with such notice a written explanation of substantial changes to traffic regulations enacted by the legislature.

(d) (1) Except as provided in paragraph (2), every driver's license shall be renewable on or before its expiration upon application and payment of the required fee and successful completion of the examinations required by subsection (e). Application for renewal of a valid driver's license shall be made to the division in accordance with rules and regulations adopted by the secretary of revenue. Such application shall contain all the requirements of ~~subsection (b) of K.S.A. 8-240(b)~~, and amendments thereto. Upon satisfying the foregoing requirements of this subsection, and if the division makes the findings required by K.S.A. 8-235b, and amendments thereto, for the issuance of an original license, the license shall be renewed without examination of the applicant's driving ability. If the division finds that any of the statements relating to revocation, suspension or refusal of licenses required under ~~subsection (b) of K.S.A. 8-240(b)~~, and amendments thereto, are in the affirmative, or if it finds that the license held by the applicant is not a valid one, or if the applicant has failed to make application for renewal of such person's license on or before the expiration date thereof, the division may require the applicant to take an examination of ability to exercise ordinary and reasonable control in the operation of a motor vehicle as provided in K.S.A. 8-235d,

and amendments thereto.

(2) Any licensee, whose driver's license expires on their ~~twenty-first~~ 21st birthday, shall have 45 days from the date of expiration of such license to make application to renew such licensee's license. Such license shall continue to be valid for such 45 days or until such license is renewed, whichever occurs sooner. A licensee who renews under the provisions of this paragraph shall not be required by the division to take an examination of ability to exercise ordinary and reasonable control in the operation of a motor vehicle as provided in K.S.A. 8-235d, and amendments thereto.

(e) (1) Prior to renewal of a driver's license, the applicant shall pass an examination of eyesight. Such examination shall be equivalent to the test required for an original driver's license under K.S.A. 8-235d, and amendments thereto. A driver's license examiner shall administer the examination without charge and shall report the results of the examination on a form provided by the division.

(2) In lieu of the examination of the applicant's eyesight by the examiner, the applicant may submit a report on the examination of eyesight by a physician licensed to practice medicine and surgery or by a licensed optometrist. The report shall be based on an examination of the applicant's eyesight not more than three months prior to the date the report is submitted, and it shall be made on a form furnished by the division to the applicant.

(3) The division shall determine whether the results of the eyesight examination or report is sufficient for renewal of the license and, if the results of the eyesight examination or report is insufficient, the division shall notify the applicant of such fact and return the license fee. In determining the sufficiency of an applicant's eyesight, the division may request an advisory opinion of the medical advisory board, which is hereby authorized to render such opinions.

(4) An applicant who is denied a license under this subsection (e) may reapply for renewal of such person's driver's license, except that if such application is not made within 90 days of the date the division sent notice to the applicant that the license would not be renewed, the applicant shall proceed as if applying for an original driver's license.

(5) When the division has good cause to believe that an applicant for renewal of a driver's license is incompetent or otherwise not qualified to operate a motor vehicle in accord with the public safety and welfare, the division may require such applicant to submit to such additional examinations as are necessary to determine that the applicant is qualified to receive the license applied for. Subject to paragraph (6) of this subsection, in so evaluating such qualifications, the division may request an advisory opinion of the medical advisory board which is hereby authorized to render such opinions in addition to its duties prescribed by ~~subsection (b)~~ of K.S.A. 8-255b(b), and amendments thereto. Any such applicant who is denied the renewal of such a driver's license because of a mental or physical disability shall be afforded a hearing in the manner prescribed by ~~subsection (e)~~ of K.S.A. 8-255(c), and amendments thereto.

(6) Seizure disorders which are controlled shall not be considered a disability. In cases where such seizure disorders are not controlled, the director or the medical advisory board may recommend that such person be issued a driver's license to drive class C or M vehicles and restricted to operating such vehicles as the division determines to be appropriate to assure the safe operation of a motor vehicle by the licensee. Restricted licenses issued pursuant to this paragraph shall be subject to

suspension or revocation. For the purpose of this paragraph, seizure disorders which are controlled means that the licensee has not sustained a seizure involving a loss of consciousness in the waking state within six months preceding the application or renewal of a driver's license and whenever a person licensed to practice medicine and surgery makes a written report to the division stating that the licensee's seizures are controlled. The report shall be based on an examination of the applicant's medical condition not more than three months prior to the date the report is submitted. Such report shall be made on a form furnished to the applicant by the division. Any physician who makes such report shall not be liable for any damages which may be attributable to the issuance or renewal of a driver's license and subsequent operation of a motor vehicle by the licensee.

(f) If the driver's license of any person expires while such person is outside the state of Kansas, the license of such person shall be extended for a period not to exceed six months and shall be renewable, without a driving examination, at any time prior to the end of the sixth month following the original expiration date of such license or within 10 days after such person returns to the state, whichever time is sooner. This subsection (f) shall not apply to temporary drivers' licenses issued pursuant to ~~subsection (b)(3) of~~ K.S.A. 8-240(b)(3), and amendments thereto.

(g) The division shall reference the website of the agency in a person's notice of expiration or renewal under subsection (c). The division shall provide the following information on the website of the agency:

(1) Information explaining the person's right to make an anatomical gift in accordance with K.S.A. 8-243, and amendments thereto, and the revised uniform anatomical gift act, K.S.A. 2017 Supp. 65-3220 through 65-3244, and amendments thereto;

(2) information describing the organ donation registry program maintained by the Kansas federally designated organ procurement organization. The information required under this paragraph shall include, in a type, size and format that is conspicuous in relation to the surrounding material, the address and telephone number of Kansas' federally designated organ procurement organization, along with an advisory to call such designated organ procurement organization with questions about the organ donor registry program;

(3) information giving the applicant the opportunity to be placed on the organ donation registry described in paragraph (2);

(4) inform the applicant that, if the applicant indicates under this subsection a willingness to have such applicant's name placed on the organ donor registry described in paragraph (2), the division will forward the applicant's name, gender, date of birth and most recent address to the organ donation registry maintained by the Kansas federally designated organ procurement organization, as required by paragraph (6);

(5) the division may fulfill the requirements of paragraph (4) by one or more of the following methods:

(A) Providing such information on the website of the agency; or

(B) providing printed material to an applicant who personally appears at an examining station; and

(6) if an applicant indicates a willingness under this subsection to have such applicant's name placed on the organ donor registry, the division shall within 10 days forward the applicant's name, gender, date of birth and most recent address to the organ

donor registry maintained by the Kansas federally designated organ procurement organization. The division may forward information under this subsection by mail or by electronic means. The division shall not maintain a record of the name or address of an individual who indicates a willingness to have such person's name placed on the organ donor registry after forwarding that information to the organ donor registry under this subsection. Information about an applicant's indication of a willingness to have such applicant's name placed on the organ donor registry that is obtained by the division and forwarded under this paragraph shall be confidential and not disclosed.

(h) Notwithstanding any other provisions of law, any offender under subsection (a) (1)(D) who held a valid driver's license on the effective date of this act may continue to operate motor vehicles until the next anniversary of the date of birth of such offender. Upon such date such driver's license shall expire and the offender shall be subject to the provisions of this section.

(i) The director of the division of vehicles shall submit a report to the legislature at the beginning of the regular session in 2012 regarding the impact of not requiring a written test for the renewal of a driver's license, including any cost savings to the division.

Sec. 3. K.S.A. 2017 Supp. 8-2,135 is hereby amended to read as follows: 8-2,135.

(a) The commercial driver's license shall be marked "commercial driver's license" or "CDL," and must be, to the maximum extent practicable, tamper proof. It shall include, but not be limited to, the following information:

- (1) The requirements set out in K.S.A. 8-243, and amendments thereto;
- (2) a number or identifier deemed appropriate by the state licensing authority;
- (3) the class or type of commercial motor vehicle or vehicles which the person is authorized to drive together with any endorsements or restriction;
- (4) the name of this state; and
- (5) the dates between which the license is valid.

(b) Commercial drivers' licenses issued pursuant to K.S.A. 8-234b, and amendments thereto, may be issued with the following endorsements or restrictions; and the holder of a valid commercial driver's license may drive all vehicles in the class for which that license is issued, and all lesser classes of vehicles, except motorcycles and vehicles which require an endorsement, unless the proper endorsement appears on the license;

- (1) "H"—authorizes the driver to drive a vehicle transporting hazardous materials;
- (2) "L"—restricts the driver to vehicles not equipped with airbrakes;
- (3) "T"—authorizes driving double and triple trailers;
- (4) "P"—authorizes driving vehicles carrying passengers;
- (5) "N"—authorizes driving tank vehicles;
- (6) "X"—represents a combination of hazardous materials and tank vehicle endorsements;
- (7) "S"—authorizes driving school buses;
- (8) "E"—no manual transmission in CMV;
- (9) "O"—no tractor-trailer;
- (10) "M"—no class A passenger vehicle;
- (11) "N"—no class A or B passenger vehicle;
- (12) "Z"—no full air brake in CMV;
- (13) "K"—for intrastate only; or

(14) "V"—for medical variance.

(c) Before issuing a commercial driver's license, the division must obtain driving record information through the commercial driver license information system, the national driver register and from each state in which the person has been licensed.

(d) Within 10 days after issuing a commercial driver's license, the division shall notify the commercial driver license information system of that fact, providing all information required to ensure identification of the person.

(e) All original licenses issued on and after April 1, 1992 ~~July 1, 2018~~, shall expire on the ~~fourth~~ fifth anniversary of the date of birth of the licensee which is nearest the date of application. All renewals thereof shall expire on every ~~fourth~~ fifth anniversary of the date of birth of the licensee. No driver's license shall expire in the same calendar year in which the original license or renewal license is issued, except that if the foregoing provisions of this section shall require the issuance of a renewal license or an original license for a period of less than six calendar months, the license issued to the applicant shall expire at midnight on every ~~fourth~~ fifth anniversary of the date of birth of the applicant. At least 30 days prior to the expiration of a person's license, the division shall mail a notice of expiration or renewal application to such person at the address shown on the license.

(f) When applying for renewal of a commercial driver's license, the applicant must complete the test required in K.S.A. 8-247(e), and amendments thereto, and the application form required by K.S.A. 8-2,134(b), and amendments thereto, providing updated information and required certifications and if the applicant wishes to retain a hazardous materials endorsement, the applicant must take and pass the test for such endorsement.";

Also on page 6, in line 5, by striking "is" and inserting ", 8-247 and 8-2,135 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the third semicolon by inserting "approved safety training curriculum for motorcycle licenses; renewal period for commercial driver's licenses;"; in line 3, after "8-240" by inserting ", 8-247 and 8-2,135"; also in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

MIKE PETERSEN
DANIEL GODDARD
PAT PETTEY

Conferees on part of Senate

RICHARD J. PROEHL
SHANNON FRANCIS
ADAM LUSKER

Conferees on part of House

On motion of Rep. Proehl, the conference committee report on **HB 2606** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Clark,

Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Arnberger, Claeys, Frownfelter, Hawkins, Henderson, Schwab.

CONFERENCE COMMITTEE REPORT

On motion of Rep. Barker to adopt the conference committee report on **HB 2470**, Rep. Jennings offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

The substitute motion of Rep. Jennings prevailed and Speaker Ryckman thereupon appointed Reps. Barker, Highland and Ruiz as second conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barker, the House concurred in Senate amendments to **HB 2145**, AN ACT concerning crimes, punishment and criminal procedure; relating to firearms, unlawful possession thereof; exempting certain suppressors; amending K.S.A. {2017} Supp. 21-6301 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 113; Nays 6; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Brim, Burroughs, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: Blex, Burris, Houser, Jacobs, K. Jones, Smith, A..

Present but not voting: None.

Absent or not voting: Arnberger, Claeys, Frownfelter, Hawkins, Henderson, Schwab.

On motion of Rep. Jennings, the House concurred in Senate amendments to **HB 2454**, AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; review hearings; dispositional hearing; overall case length limits; absconders; Kansas juvenile justice oversight committee; amending K.S.A. 2017 Supp. 38-2343, 38-2360, 38-2391 and 75-52,161 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Horn, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Probst, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimboli, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Arnberger, Claeys, Frownfelter, Hawkins, Henderson, Schwab.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2582**, be amended by adoption of the amendments recommended by the House Committee on Appropriations as reported in the Journal of the House on March 23, 2018, and the bill, as printed with the amendments by House Committee be further amended:

On page 3, in line 8, by striking "59" and inserting "159";

On page 4, in line 32, by striking all after "from"; in line 33, by striking all before "for" and inserting "the Kansas highway patrol operations fund"; in line 37, by striking "\$3,040.00" and inserting "\$11,833.60";

On page 5, following line 1, by inserting:

"Sec. 11.

KANSAS HIGHWAY PATROL

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2018, by the state finance council by section 177(d) of chapter 104 of the 2017 Session Laws of Kansas on the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol is hereby increased from \$52,236,578 to \$52,248,411.60.

(b) On the effective date of this act, the amount of \$12,998,317.75 authorized by section 144(d) of chapter 104 of the 2017 Session Laws of Kansas to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol on April 1, 2018, is hereby increased to \$13,010,151.35.";

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Judiciary** recommends **HCR 5029**, be amended on page 1, in line 20, by striking "As all political power is inherent in the people,"; in line 21, by striking "determine" and inserting "make"; in line 22, by striking all after the period; by striking all in lines 23 through 30; in line 31, by striking all before the period and inserting "Such provision is suitable if it is adequate and equitable. The power to establish and the jurisdiction to resolve all questions regarding the adequacy of such provision shall be exclusively within the legislative power of the state";

On page 2, by striking all in lines 6 and 7; in line 8, by striking all before the period and inserting "provide that suitable provision for the financing for public education means that the provision is adequate and equitable. Questions of adequacy of total funding of public education shall be determined by the legislature"; in line 9, by striking all after "would"; by striking all in lines 10 and 11; in line 12, by striking all before the period and inserting "require suitable provision for the financing of public education to be both adequate and equitable and would reserve the power to establish and resolve any question of the adequacy of the funding to the legislature";

Also on page 2, in line 13, by striking all after "would"; by striking all in lines 14 through 17; in line 18, by striking all before the period and inserting "make no change in current law and maintain the current provisions regarding suitability of the provision made for the finance of education";

On page 1, in the title, in line 2, by striking all after "to"; in line 3, by striking all before the period and inserting "establish adequacy of financing for education as exclusively within the legislative power of the state"; and the resolution be adopted as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Tarwater to replace Rep. Rafie on Committee on Taxation on April 5, 2018.

Also, the appointment of Rep. Parker to replace Rep. Burroughs on Committee on Taxation on April 5, 2018.

REPORT ON ENGROSSED BILLS

HB 2445 reported correctly engrossed April 3, 2018.

REPORT ON ENROLLED BILLS

S Sub for HB 2184, **HB 2496** reported correctly enrolled, properly signed and presented to the Governor on April 5, 2018.

REPORT ON ENROLLED RESOLUTIONS

HCR 5028 reported correctly enrolled and properly signed on April 5, 2018.

On motion of Rep. Hineman, the House adjourned until 1:30 p.m., Friday, April 6, 2018.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

