

Journal of the House

EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 24, 2019, 11:00 a.m.

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

The roll was called with 121 members present.

Reps. Carmichael and Lewis were excused on verified illness.

Reps. Jacobs and Pittman were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious God in heaven,
Your Word tells us that
“the fruit of the Spirit is love, joy,
peace, patience, kindness, goodness,
faithfulness, gentleness and self-control.”
Today, may our words be spoken with
kindness and gentleness.
Help us to maintain self-control in our disagreements.
Hold us faithful and accountable
to our constituents in that what we decide
will be for their good.
Fill us with patience as the discussions
may take more time than we like.
Help us keep the joy in our attitude of service.
May we be at peace with the decisions made.
And, may Your love permeate our lives.
In Your Son’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Jennings.

PERSONAL PRIVILEGE

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

This year marked the 33rd national observance of the Dr. Martin Luther King federal holiday. This past Monday marked the 90th birthday of the slain civil rights leader. The holiday was established in 1983. In 1994 Congress designated the holiday as a national day of service, and charged the Corporation of National and Community Service to help drive the effort.

**Excerpts from the Essay “Letter from a Birmingham Jail,”
April 16, 1963**

16 April 1963

My Dear Fellow Clergymen:

While confined here in the Birmingham city jail, I came across your recent statement calling my present activities “unwise and untimely.” Seldom do I pause to answer criticism of my work and ideas. If I sought to answer all the criticisms that cross my desk, my secretaries would have little time for anything other than such correspondence in the course of the day, and I would have no time for constructive work. But since I feel that you are men of genuine good will and that your criticisms are sincerely set forth, I want to try to answer your statement in what I hope will be patient and reasonable terms.

I have the honor of serving as president of the Southern Christian Leadership Conference, an organization operating in every southern state, with headquarters in Atlanta, Georgia. We have some eighty-five affiliated organizations across the South, and one of them is the Alabama Christian Movement for Human Rights. So I, along with several members of my staff, am here because I was invited here. I am here because I have organizational ties here.

But more basically, I am in Birmingham because injustice is here. Just as the prophets of the eighth century B.C. left their villages and carried their “thus saith the Lord” far beyond the boundaries of their home towns, and just as the Apostle Paul left his village of Tarsus and carried the gospel of Jesus Christ to the far corners of the Greco Roman world, so am I compelled to carry the gospel of freedom beyond my own home town. Like Paul, I must constantly respond to the Macedonian call for aid.

Sometimes a law is just on its face and unjust in its application. For instance, I have been arrested on a charge of parading without a permit. Now, there is nothing wrong in having an ordinance which requires a permit for a parade. But such an ordinance becomes unjust when it is used to maintain segregation and to deny citizens the First-Amendment privilege of peaceful assembly and protest.

I hope you are able to see the distinction I am trying to point out. In no sense do I advocate evading or defying the law, as would the rabid segregationist. That would lead to anarchy. One who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for the law.

I invite my colleagues to join me at the well, and share six quotes from Dr. Martin L. King.

Rep. Cindy Neighbor: “There comes a time when one must take a position that is neither safe, nor politic, nor popular, but she/he must take it because conscience tells him it is right.”

Rep. Jene Vickrey: “Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that.”

Rep. Susan Ruiz: “Our lives begin to end the day we become silent about things that matter.”

Rep. Susan Humphries: “Life’s most persistent and urgent question is, ‘What are you doing for others?’”

Rep. Jerry Stogsdill: “Faith is taking the first step even when you don’t see the whole staircase.”

Speaker pro tem Blaine Finch: “If you can’t fly then run, if you can’t run then walk, if you can’t walk then crawl, but whatever you do you have to keep moving forward.”

I will close with a quote from Dr. King: “Injustice anywhere is a threat to Justice everywhere.”

Thank you for listening and for providing me this opportunity to recognize Dr. Martin Luther King, Jr.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2067, AN ACT concerning the legislature; creating the Kansas transparency act; providing audio and video broadcasts of legislative meetings, by Committee on Federal and State Affairs.

HB 2068, AN ACT concerning gaming; creating the Kansas sports wagering act; amending K.S.A. 74-8702, 74-8710, 74-8711, 74-8716, 74-8734, 74-8741, 74-8751, 74-8752, 74-8760, 74-8763, 74-8765 and 74-8769 and K.S.A. 2018 Supp. 19-101a, 21-6403 and 21-6507 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2069, AN ACT concerning the legislature; relating to legislative meetings; requirements regarding minutes of such meetings, by Committee on Federal and State Affairs.

HB 2070, AN ACT designating a portion of United States highway 75 as the John Armstrong memorial highway; amending K.S.A. 68-1051 and repealing the existing section, by Committee on Transportation.

HB 2071, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the proud educator license plate, by Committee on Transportation.

HB 2072, AN ACT concerning arbitration; relating to validity of an agreement to arbitrate in a contract of insurance; amending K.S.A. 2018 Supp. 5-428 and repealing the existing section, by Committee on Judiciary.

HB 2073, AN ACT concerning crimes, punishment and criminal procedure; relating to sodomy; appeal of departure sentence; liability of defendant for expenses by state board of indigents' defense services; amending K.S.A. 22-4513 and K.S.A. 2018 Supp. 21-5504 and 21-6820 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2074, AN ACT concerning accident and sickness insurance; relating to individual policies; requiring coverage of preexisting conditions; amending K.S.A. 40-2257 and repealing the existing section, by Representatives Probst, Alcalá, Benson, Clayton, Finney, Horn, Kuether, Neighbor, Ohaebosim, Parker, Pittman, Ruiz, S., Stogsdill, Warfield, Whipple, Winn, Woodard and Xu.

HB 2075, AN ACT concerning elections; regarding petition circulators; amending K.S.A. 2018 Supp. 25-3608 and repealing the existing section, by Representative Woodard.

HB 2076, AN ACT concerning employment security law; relating to lessor employment units and lessee clients; restrictions on leasing certain employees; amending K.S.A. 44-758 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2077, AN ACT concerning health and healthcare; relating to treatment facilities; providing for suicide risk evaluation upon admission thereto, by Representative Houser.

HB 2078, AN ACT concerning education; relating to the instruction and financing thereof; making and concerning appropriations for the fiscal years ending June 30, 2019, June 30, 2020, and June 30, 2021, for the department of education; amending K.S.A. 72-5132, 72-5142 and 72-5462 and K.S.A. 2018 Supp. 79-201x and repealing the existing sections, by Committee on Appropriations.

HB 2079, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; sexual battery; spouses; amending K.S.A. 2018 Supp. 21-5505 and repealing the existing section, by Representative Parker.

HB 2080, AN ACT concerning utilities; relating to electric utilities; recovery of transmission-related costs; amending K.S.A. 66-1237 and repealing the existing section, by Committee on Energy, Utilities and Telecommunications.

HB 2081, AN ACT concerning electric transmission; reestablishing the Kansas electric transmission authority; amending K.S.A. 2018 Supp. 75-4319 and repealing the existing section; also repealing K.S.A. 74-99d15, by Committee on Energy, Utilities and Telecommunications.

HB 2082, AN ACT concerning health and healthcare; relating to the practice of pharmacy; amending K.S.A. 65-1626 and repealing the existing section, by Committee on Health and Human Services.

HB 2083, AN ACT concerning motor vehicle insurance; relating to reductions in premiums; approved motor vehicle accident prevention courses; pertaining to course duration and approving entities; amending K.S.A. 40-1112a and repealing the existing section, by Committee on Insurance.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Health and Human Services: **HB 2066**.

Judiciary: **HB 2064**, **HB 2065**.

Taxation: **HB 2063**.

CHANGE OF REFERENCE

Speaker pro tem Finch announced the withdrawal of **HB 2018** from the Committee on Judiciary and referral to the Committee on Corrections and Juvenile Justice.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Landwehr in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Landwehr, Committee of the Whole report, as follows, was adopted:

Recommended that on motion of Rep. Highberger to amend **SCR 1603**, the motion did not prevail; and **SCR 1603** be adopted.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2035** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

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 bill was introduced and read by title:

HB 2084, AN ACT concerning the Kansas 911 act; relating to emergency services; 911 fees, collection and distribution; amending K.S.A. 2018 Supp. 12-5363, 12-5364, 12-5365, 12-5366, 12-5367, 12-5368, 12-5369, 12-5370, 12-5371, 12-5372, 12-5373, 12-5374, 12-5375, 12-5376, 12-5377, 12-5378, 12-5380 and 19-101a and repealing the existing sections; also repealing K.S.A. 2018 Supp. 12-5327, 12-5338 and 12-5361, by Committee on Energy, Utilities and Telecommunications.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Finch announced the appointment of Rep. Claeys to replace Rep. Williams on Committee on Commerce, Labor and Economic Development on January 24, 2019.

REPORT ON ENGROSSED BILLS

HR 6004 reported correctly engrossed January 23, 2019.

REPORT ON ENROLLED RESOLUTIONS

HCR 5002 reported correctly enrolled and properly signed on January 24, 2019.

On motion of Rep. Hawkins, the House adjourned until 8:30 a.m., Friday, January 25, 2019.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

