

# Journal of the House

## FIFTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, April 1, 2019, 10:00 a.m.

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

The roll was called with 120 members present.

Rep. Frownfelter was excused on verified illness.

Reps. Arnberger, Donohoe, Huebert, and L. Ruiz were excused on excused absence by the Speaker.

Excused later: Reps. Baker, Garber.

Present later: Reps. Arnberger, Donohoe and Huebert.

Prayer by guest chaplain, Rev. Dave Ballast, Pastor, Living Water Evangelical Free Church, Oskaloosa, and guest of Rep. Ellis:

Our Lord and Heavenly Father,

We give thanks today for your mercies, which are new every morning. On this day, the first day of a new month, as we begin to see the beauty of spring in Kansas emerge all around us, we give thanks especially for the blessings that are ours from your hand in this land. Thank you for the privilege of living and working and raising our families here in Kansas.

We ask this morning for your wisdom and your guidance – that you would lead by your Spirit the hearts and minds of each one in this distinguished chamber. As they do the work of overseeing and governing our state, may you give them hearts to follow you in all things and minds to work together for the good of every Kansan. May your will be done on earth as it is in heaven. Thank you for bringing each one here by your providence and giving them a heart to serve their constituents. Bless them with your strength in all they do today and in the days ahead. May it be for your glory and for all our good according to your great mercies.

In the Name of Jesus Christ our Savior we pray, Amen

The Pledge of Allegiance was led by Rep. Rhiley.

## INTRODUCTION OF GUESTS

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

It is my honor to recognize National Service Recognition Day today by readying for the actual celebration tomorrow, April 2, 2019. There is no way to measure the contributions made by volunteers in this world and their commitment to making our world a better place.

Today I have with me, Jerry Michaud, the CEO of Developmental Services of Northwest Kansas, an organization that serves people with intellectual and developmental disabilities in 18 Northwest KS Counties for over 50 years. With him are VISTA volunteers Tom Fuhrmann and Matthew Vickrey. AmeriCorps VISTA is Volunteers in Service America. VISTA is much like Peace Corps inside the United States.

Along with Senior Corps they serve in more than 50,000 locations across the country and multiple sites throughout Kansas, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being.

I ask for all legislators to rise and applaud these amazing people for their service to Kansas in recognizing National Service Recognition Day.

Rep. Wasinger presented her guests with a framed House certificate in honor of their contributions.

## MESSAGES FROM THE GOVERNOR

**HB 2174** approved on March 28, 2019.

## MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2126** and has appointed Senators Petersen, Goddard and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2209** and has appointed Senators Olson, Billinger and Ware as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 78**, requests a conference and has appointed Senators Wilborn, Rucker and Miller as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 20**, requests a conference and has appointed Senators Wilborn, Rucker and Miller as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 18**, requests a conference and has appointed Senators Wilborn, Rucker and Miller as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 15**, requests a conference and has appointed Senators Olson, Billinger and Ware as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 66**, requests a conference and has appointed Senators Olson, Billinger and Ware as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 28**, requests a conference and has appointed Senators Olson, Billinger and Ware as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 67**, requests a conference and has appointed Senators Olson, Billinger and Ware as conferees on the part of the Senate.

Announcing passage of **SB 104, SB 108, SB 218, Sub SB 219, 228, 232, 235.**

The Senate concurs in House amendments to **SB 77.**

Announcing passage of **HB 2031**, as amended, **HB 2033**, as amended, **HB 2038**, as amended, **HB 2039**, as amended, **HB 2070**, as amended, **HB 2087**, as amended, **HB 2119**, as amended, **HB 2140**, as amended, **HB 2144**, as amended, **HB 2160**, as amended, **HB 2168**, as amended, **HB 2178**, as amended, **HB 2223**, as amended, **HB 2248**, as amended, **HB 2290**, as amended, **HB 2365**, as amended; **HB 2167**, as amended by **S Sub HB 2167, HB 2225**, as amended by **S Sub HB 2225.**

Announcing passage of **HB 2125, HB 2191, HB 2211.**

Announcing adoption of **HCR 5011.**

The Senate nonconcurrs in House amendments to **SB 53**, requests a conference and has appointed Senators Estes, Olson and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 70**, requests a conference and has appointed Senators Estes, Olson and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 130**, requests a conference and has appointed Senators Bowers, Hardy and Haley as conferees on the part of the Senate.

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

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

**SB 104, SB 108, SB 218, SB 219, SB 228, SB 232, SB 235.**

## **INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 15.**

Speaker pro tem Finch thereupon appointed Reps. Kelly, Orr and Finney as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 18.**

Speaker pro tem Finch thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 20.**

Speaker pro tem Finch thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 28.**

Speaker pro tem Finch thereupon appointed Reps. Vickrey, Cox and Neighbor as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 53.**

Speaker pro tem Finch thereupon appointed Reps. Barker, Averkamp and L. Ruiz as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 66**.

Speaker pro tem Finch thereupon appointed Reps. Vickrey, Cox and Neighbor as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 67**.

Speaker pro tem Finch thereupon appointed Reps. Vickrey, Cox and Neighbor as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 70**.

Speaker pro tem Finch thereupon appointed Reps. Barker, Averkamp and L. Ruiz as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 78**.

Speaker pro tem Finch thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 130**.

Speaker pro tem Finch thereupon appointed Reps. Sutton, B. Carpenter and Parker as conferees on the part of the House.

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

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **S. Sub for HB 2007** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Proehl, Thimesch and Helgerson as conferees on the part of the House.

On motion of Rep. Highland, the House nonconcurred in Senate amendments to **HB 2085** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Highland, E. Smith and Carlin as conferees on the part of the House.

On motion of Rep. Vickrey, the House nonconcurred in Senate amendments to **HB 2177** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Vickrey, Cox and Neighbor as conferees on the part of the House.

On motion of Rep. Kelly, the House nonconcurred in Senate amendments to **HB 2203** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Kelly, Orr and Finney as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **S. Sub for HB 2214** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Proehl, Thimesch and Helgerson as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **HB 2246** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Proehl, Thimesch and Helgerson as conferees on the part of the House

On motion of Rep. Hawkins, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Patton, the House concurred in Senate amendments to **HB 2178**, AN ACT concerning utilities; relating to the Kansas underground utility damage prevention act; definitions; location of facilities and duty to mark, exceptions; amending K.S.A. 66-1802, 66-1805 and 66-1806 and repealing the existing sections.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Amyx, Arnberger, Awerkamp, Ballard, Barker, Benson, Bergquist, Bishop, Blex, Burris, Burroughs, Capps, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Collins, Concannon, Corbet, Cox, Croft, Curtis, Delperdang, Dierks, Dietrich, Donohoe, Dove, Ellis, Eplee, Erickson, Esau, Finch, Finney, Francis, French, Gartner, Hawkins, Helgerson, Helmer, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Hoheisel, Holscher, Horn, Houser, Howard, Huebert, Humphries, Jacobs, Jennings, Johnson, Karleskint, Kelly, Kessinger, Kuether, Landwehr, Long, Lusk, Lynn, Mason, Mastroni, Moore, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Owens, Pannbacker, Parker, F. Patton, Phillips, Pittman, Probst, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, S., Ryckman, Samsel, Sawyer, Schreiber, Seiwert, Smith, A., Smith, E., Stogsdill, Straub, Sutton, Tarwater, Thimesch, Thomas, Toplikar, Vickrey, Victors, Waggoner, Ward, Warfield, Warren, Wasinger, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Baker, Frownfelter, Garber, Ruiz, L., Thompson.

On motion of Rep. Kelly, the House nonconcurred in Senate amendments to **HB 2031** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Kelly, Orr and Finney as conferees on the part of the House.

On motion of Rep. Patton, the House nonconcurred in Senate amendments to **HB 2038** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Patton, the House nonconcurred in Senate amendments to **HB 2039** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **HB 2087** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Proehl, Thimesch and Helgerson as conferees on the part of the House.

On motion of Rep. Kelly, the House nonconcurred in Senate amendments to **HB 2119** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Kelly, Orr and Finney as conferees on the part of the House.

On motion of Rep. Kelly, the House nonconcurred in Senate amendments to **HB 2140** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Kelly, Orr and Finney as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **S Sub for HB 2225** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Proehl, Thimesch and Helgerson as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **HB 2248** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Proehl, Thimesch and Helgerson as conferees on the part of the House.

On motion of Rep. Patton, the House nonconcurred in Senate amendments to **HB 2290** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Tuesday, April 2, 2019.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

