

Journal of the House

THIRTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 6, 2014, 11:00 a.m.

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

COMMUNICATIONS FROM STATE OFFICERS

To all to whom these presents shall come, Greetings:

I, KRIS KOBACH, Secretary of State of the State of Kansas, do hereby certify that Pam Curtis, Kansas City, Kansas, was appointed by the Governor effective March 6, 2014, for the unexpired term of State Representative for the 32nd Legislative District, to fill the vacancy created by the death of Michael J. Peterson.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 6th day of March, A.D. 2014.

KRIS KOBACH
Secretary of State

OATH OF OFFICE

Pam Curtis came forward and took and subscribed to the following oath of office, which was administered by Tom Malone, Chief Judge, Kansas Court of Appeals.

STATE OF KANSAS, COUNTY OF SHAWNEE, SS:

I do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of Representative of the 32nd District of the House of Representatives, so help me God.

Subscribed and sworn to, or affirmed, before me on this 6th day of March, 2014.

TOM MALONE
Chief Judge, Kansas Court of Appeals

The roll was called with 120 members present.

Reps. Cassidy and Johnson were excused on verified illness.

Rep. Schwartz was excused on legislative business.

Reps. Kahrs and Petty were excused on excused absence by the Speaker.

The House is again organized with 125 members.

Prayer by Chaplain Brubaker:

Sovereign God,
 Today I come before You
 so thankful for the freedoms we have.
 As a citizen of this state and nation,
 I am thankful to have a voice in decisions
 made through representation.
 I am thankful for a system that allows
 a variety of philosophies
 that can be discussed, debated,
 negotiated and collaborated upon
 in making decisions that are to benefit the masses.
 Although we may get frustrated and irritated
 with the debates and disagreements,
 at least we have the freedom for this to occur.
 Most of all, I am thankful for the freedom
 granted to each of us acknowledging
 that You have created us all equally
 and that we are endowed by You
 with certain unalienable rights,
 including those of life, liberty
 and the pursuit of happiness.
 Many people are not able to experience
 this in their daily life.
 Help us never to take this freedom for granted.
 Lastly, but most importantly,
 I am thankful for those who willingly
 put their lives on the line so we may have
 these freedoms.
 In an attitude of deep gratitude
 I pray this prayer of thanksgiving
 in Your Name, Amen.

The Pledge of Allegiance was led by Rep. Burroughs.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2745, AN ACT concerning property tax; relating to liens against voluntarily transferred personal property; also repealing K.S.A. 79-2109 and 79-2110, by Committee on Taxation.

HB 2746, AN ACT concerning sales taxation; relating to exemptions; friends of hospice of Jefferson county; amending K.S.A. 2013 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2747, AN ACT concerning sales taxation; relating to exemptions; Armourdale renewal association, Armourdale optimist club, share the bear, inc.; amending K.S.A. 2013 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **SB 357**.

Commerce, Labor and Economic Development: **SB 309, SB 311**.

Elections: **SB 274, Sub SB 343**.

Federal and State Affairs: **SB 10, SB 352**.

Insurance: **HB 2744**.

Judiciary: **SB 310, SB 312, SB 348, SB 359, SB 402, SB 403**.

Transportation: **SB 273**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2742** from Committee on Appropriations and referral to Committee on Pensions and Benefits.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Gonzalez, **HR 6055**, A RESOLUTION designating Hispanic Legislative Day at the Capitol, was adopted

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

Today, March 6th, is designated Hispanic Legislative Day at the Capitol. The Hispanic Latino community of the great State of Kansas exemplifies the diversity and contributions made by each individual who is proud of his or her Hispanic/Latino heritage and proud to be a Kansan.

Our guests in the House Chamber today are Hispanic leaders from across the state.

The Kansas Hispanic & Latino American Affairs Commissioners: Robert Deleon, Liz Sosa, Tom Carignan, Felipe Bustillo, A. Marie Carroll, Ben Saucedo and Diana Ramirez.

The Kansas Hispanic & Latino American Affairs Commission Technical Advisors and co-chairs of Hispanic Day: Micaela Morales and Celia Ruiz, James Mirles, Garden City High School Principal and Michael Munos, Highland Park High School teacher .

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Huebert in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that committee report to **HB 2455** be adopted; and the bill be passed as amended.

Committee report to **HR 6049** be adopted; and the resolution be adopted as a amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, pursuant to House Rule 2311, **HB 2455, HR 6049** were advanced to Final Action on Bills and Concurrent Resolution.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2455, AN ACT concerning property taxation; relating to exemptions; certain utility systems and appurtenances located on military installations; amending K.S.A. 2013 Supp. 79-201a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carmichael, Carpenter, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Curtis, E. Davis, P. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Estes, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kelley, Kelly, Kiegerl, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Seiwert, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: McPherson.

Present but not voting: None.

Absent or not voting: Cassidy, Johnson, Kahrs, Petty, Schwartz.

The bill passed, as amended.

HR 6049, A RESOLUTION encouraging the creation of a Kansas plan for comprehensive treatment of chronic obstructive pulmonary disease, was considered on final action.

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

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carmichael, Carpenter, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Curtis, E. Davis, P. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Estes, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kelley, Kelly, Kiegerl, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Seiwert, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.
 Absent or not voting: Cassidy, Johnson, Kahrs, Petty, Schwartz.
 The resolution was adopted, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Elections** recommends **SB 45** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 45," as follows:

"House Substitute for SENATE BILL NO. 45

By Committee on Elections

"AN ACT concerning campaign finance; lobbyists filings; amending K.S.A. 25-904, 25-4142, 25-4173, 25-4175, 46-237, 46-268 and 46-269 and K.S.A. 2013 Supp. 25-4143, 25-4157a and 46-237a and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 45** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **HB 2542** be amended on page 1, in line 13, after the comma by inserting "manned or unmanned,"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 49, by Representative Broderick Henderson, congratulating Gwendolyn DePriest in recognition of her 68th birthday;

Request No. 50, by Representative John Alcala, honoring and in memory of Jesus Rodriguez, for being awarded the Bronze Star in WWII, recognizing his outstanding courage and bravery;

Request No. 51, by Representative Jerry Lunn, commending Debbie Bond and Mission Trail Elementary School for receiving the U.S. Department of Education Blue Ribbon Award;

Request No. 52, by Representative Peggy Mast, congratulating the Madison News on winning the Award of Excellence for feature photos and advertising categories;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

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 2748, AN ACT concerning motor carriers; relating to safety; rules and regulations; exceptions; amending K.S.A. 2013 Supp. 66-1,129 and repealing the existing section, by Committee on Appropriations.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Pauls to replace Rep. Finney as Ranking Minority Member on the Joint Committee on Corrections and Juvenile Justice Oversight effective immediately.

REPORT ON ENGROSSED RESOLUTIONS

HCR 5014, HCR 5030 reported correctly engrossed March 5, 2014.

REPORT ON ENROLLED RESOLUTIONS

HR 6046, HR 6056 reported correctly enrolled and properly signed on March 6, 2014.

READING AND CORRECTION OF THE JOURNAL

In the Journal, on page 1850, under the heading Change of Reference, **Sub HB 2618** should be replaced with **Sub HB 2681** as being rereferred to Committee on Veterans, Military and Homeland Security.

On motion of Rep. Vickrey the House adjourned pro forma until 8:00 a.m. on Friday, March 7, 2014.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

