

# Journal of the House

FORTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 15, 2019, 8:30 a.m.

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

The roll was called with 114 members present.

Reps. Carlson and Finney were excused on verified illness.

Reps. Donohoe, Ousley, Phillips, L. Ruiz, Samsel, Tarwater, Ward and Whipple were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker,

Faithful Father God,  
thank You for helping our leaders throughout this week  
and all that they have been able to accomplish.  
Continue to give them wisdom and discernment  
as they work toward clear and empowering goals;  
Help them to show a willingness  
to step out of their comfort zones in order to work together.  
May they continue to brainstorm and generate new ideas,  
whether bad or good.  
Enable them to learn from their mistakes  
and not see them as failures.  
When they come back next week,  
may they work smarter and harder.  
Open their minds to new ideas and solutions.  
I ask that you give everyone a safe weekend.  
In Christ Name, Amen.

The Pledge of Allegiance was led by Rep. Carmichael.

## INTRODUCTION OF GUESTS

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

It is my honor today to recognize Roeland Park, who recently was one of eight cities around the country selected for the Prestigious Resiliency Program with the National League of Cities for their work on sustainability initiatives in the Kansas City Metropolitan area.

Roeland Park is a first ring suburb of the city, and like the residents of the other municipalities, Roeland Park residents are highly dependent on neighboring jurisdictions both economically and socially, as they share the same ecosystem.

Likewise, climate risks such as drought, increased heat, and flooding do not stop at human-made borders such as state lines and must be addressed by multiple jurisdictions working in coordination at the metro-regional scale.

To address that, elected officials from Roeland Park, Shawnee, and multiple municipalities throughout the Kansas City metropolitan area decided to take the issue into their own hands and founded the Metro KC Climate Action Coalition (of which I am a part) with the purpose of drawing down greenhouse gases, improving climate resilience, and generating corresponding economic, social, health, and quality of life benefits in the area. Representing this diverse group of elected officials today from Roeland Park is Mayor Mike Kelly and Councilwoman Jen Hill; and from Shawnee Mayor Michelle Distler and Councilwoman Lindsey Constance.

As a state elected official, I feel tremendously lucky that I have such strong local leaders to collaborate with. We have a constant dialogue on what I think is feasible or best addressed at the state level and how they can support me, and then what is best addressed at the local level, and how I can help support them. This is one of the best examples of how governments work together, and I am immensely proud of the sustainability initiatives that we are going to accomplish together.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Appropriations: **SB 173**.

Federal and State Affairs: **SB 70, SB 99**.

Taxation: **SB 155**.

#### **CHANGE OF REFERENCE**

Speaker pro tem Finch announced the withdrawal of **HB 2383** from the Committee on **Appropriations** and referral to the Committee on **General Government Budget**.

#### **MESSAGES FROM THE SENATE**

Announcing passage of **Sub SB 69**.

Announcing adoption of **SCR 1605**.

Announcing passage of **SB 142, SB 150**.

The Senate concurs in House amendments to **SB 22**.

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

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

**SB 69, SB 142, SB 150, SCR 1605**.

#### **CONSENT CALENDAR**

No objection was made to **HB 2188, SB 193** appearing on the Consent Calendar for the first day.

No objection was made to **SB 61** appearing on the Consent Calendar for the second day.

**REPORTS OF STANDING COMMITTEES**

Committee on **Agriculture** recommends **SB 49** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **SB 60, SB 90** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2018** be amended by substituting a new bill as recommended by the House Committee on Corrections and Juvenile Justice as reported in the Journal of the House on February 25, 2019, and the bill as printed as Substitute for HB 2018 be amended as follows:

On page 2, in line 11, after "one" by inserting "criminal"; in line 21, after "provider" by inserting "who provides services pursuant to the certified drug abuse treatment program"; in line 22, by striking "governor" and inserting "behavioral health association of Kansas"; in line 30, by striking "governor" and inserting "legislative coordinating council"; in line 43, by striking all after "(e)";

On page 3, by striking all in lines 1 through 7; in line 8, by striking all before the period and inserting "If approved by the legislative coordinating council, legislative members of the commission attending meetings authorized by the commission shall be paid amounts for expenses, mileage and subsistence as provided in K.S.A. 75-3223(e), and amendments thereto"; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 59** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Transportation** recommends **SB 94, SB 97** as amended by Senate Committee, be passed.

Committee on **Transportation** recommends **SB 40, SB 41** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Transportation** recommends **SB 63** be amended on page 2, following line 11, by inserting:

"Sec. 3. K.S.A. 8-1551 is hereby amended to read as follows: 8-1551. (a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within ~~fifty (50)~~ 50 feet but not less than ~~fifteen (15)~~ 15 feet from the nearest rail of such railroad, and shall not proceed until ~~he or she~~ such driver can do so safely. The foregoing requirements shall apply when:

(1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train or other on-track equipment;

(2) a crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train or other on-track equipment;

(3) a railroad train or other on-track equipment approaching within approximately ~~one thousand five hundred (1,500)~~ 1,500 feet of the highway crossing emits a signal audible from such distance and such railroad train or other on-track equipment, by reason of its speed or nearness to such crossing, is an immediate hazard; or

(4) an approaching railroad train or other on-track equipment is plainly visible and is in hazardous proximity to such crossing.

(b) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.";

Also on page 2, in line 12, before "K.S.A" by inserting "K.S.A. 8-1551 and"; also in line 12, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "transportation; relating to"; also in line 1, by striking "relating to" and inserting "regulating the use of"; in line 2, after the semicolon by inserting "requiring vehicle drivers to stop for on-track train equipment at railroad grade crossing signals;"; also in line 2, after "amending" by inserting "K.S.A. 8-1551 and"; in line 3, by striking "section" and inserting "sections"; 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. 56**, by Representative Jeff Pittman, commending Kansas Thespians in honor of proclaiming March 11, 2019 as Theatre in Our Schools Advocacy Day;

**Request No. 57**, by Representative Steve Huebert, congratulating the 2019 Class of Kansas Master Teachers;

**Request No. 58**, by Representative Mike Amyx, honoring Living Kidney Donors and Recipients in recognition of 2019 Kansas Kidney Awareness and Organ Donation Day;

**Request No. 59**, by Representative Brenda Dietrich, congratulating Lauren Buchanan on winning the 2019 Class 6A Girls State Bowling Title;

**Request No. 60**, by Representative Blaine Finch, congratulating Mildred McCreight in honor of her 100th birthday;

**Request No. 61**, by Representative Martin Long, congratulating Braxton Moral in recognition of graduating Ulysses High School while simultaneously graduating Harvard Extension School at age 17;

**Request No. 62**, by Representative Russell Jennings, congratulating Hailey Nolan on being a 1st place winner of the 2019 State Fire Marshall's Fire Safety Poster Contest;

**Request No. 63**, by Representative Mark Samsel, commending Gary French for 37 years of exceptional service to the kids and people of Kansas;

**Request No. 64**, by Representative Randy Garber, congratulating Elliot Strahm on being named 2017-2018 Defensive Player of the Year;

**Request No. 65**, by Representative Randy Garber, congratulating Garrett Michael on being named 2018 Football Coach of the Year;

**Request No. 66**, by Representative Randy Garber, congratulating the Sabetha High School Football Team on being 2017-2018 3A State Football Champions;

**Request No. 67**, by Representative Randy Garber, congratulating Cauy Rokey on being named 2018 Co-Defensive Player of the Year;

**Request No. 68**, by Representative Randy Garber, congratulating the Sabetha High School Baseball Team on being 2018 3A State Baseball Champions;

**Request No. 69**, by Representative Randy Garber, congratulating Aaron Frey on being named 2018 3A Baseball Coach of the Year;

**Request No. 70**, by Representative Randy Garber, congratulating Gabe Garber on being named 2018 3A Baseball Co-Player of the Year;

**Request No. 71**, by Representative Jim Karleskint, congratulating Alyssa Troyer for receiving the 2018-2019 VFW Kansas Voice of Democracy Award;

**Request No. 72**, by Representative Jim Karleskint, congratulating Malachai Feil for receiving the 2018-2019 VFW Kansas Patriot's Pen Award;

**Request No. 73**, by Representative Jim Kelly, commending Officer Hilary Cook in honor of receiving the 2018 Silver Award for Valor;

**Request No. 74**, by Representative Jarrod Ousley, congratulating The Brain Injury Association of Kansas and Greater Kansas City for its valuable contributions;

**Request No. 75**, by Representatives Broderick Henderson and Valedenia C. Winn, congratulating Walter DePriest in honor of his 100th birthday;

**Request No. 76**, by Representative Troy Waymaster, congratulating Julie Bernard for being named 2018 VFW Teacher of the Year for the State of Kansas;

**Request No. 77**, by Representative Brenda Dietrich, congratulating Washburn Rural High School Junior Blues Girls Basketball Team & Coaching Staff for winning the 2019 Class 6A Girls State Basketball Tournament;

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. Hawkins, the committee report was adopted.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6016** reported correctly enrolled and properly signed on March 15, 2019.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Monday, March 18, 2019.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

