

Journal of the House

EIGHTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 1, 2024, 11:00 a.m.

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

The roll was called with 117 members present.

Reps. Donohoe, Helgeson and Highberger were excused on verified illness.

Reps. Alcalá, Howell, Poetter Parshall, Stogsdill and Woodard were excused on excused absence by the Speaker.

Prayer by guest chaplain, Pastor Joe Crowley, Grace Calvary Fellowship Church, Wellington, and guest of Rep. Rhiley.

Heavenly Father, we come to You today with thankfulness for another day. We are thankful for Your blessings and Your love. Almighty God, I ask today that if any Representative here lacks wisdom. "That they will ask of God who gives to all liberally and without reproach, and it will be given to him." Please remind us of your words "Let every soul be subject to the governing authorities. For there is no authority except from God, and the authorities that exist are appointed by God." Therefore, O God remind us how You desire to bring guidance to all our Representatives and elected officials.

May we always seek Your face and Your will. Lord, I pray that You will bring unity to this House and to those that serve under your authority. Let us serve for the common good of those who elected us, not forgetting who we represent and speak for.

God, I thank You that You have allowed us to live in the greatest country in the world. I thank You for blessing America.

Now, God, it is my prayer that America will continue to be blessed in all that we do. That we who are called by your name will humble ourselves and call upon your Name that You may heal our Nation. Protect us and guide us in your Holy Name, in the name of Jesus. Amen.

The Pledge of Allegiance was led by Rep. Carmichael.

INTRODUCTION OF GUESTS

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

Good morning colleagues! I have with me today the BEST of the BEST! The BEST robotics competition stands for Boosting Engineering, Science, and Technology. It is a state, regional, and national competition of high school and middle school students from public, private, and home schools.

What do they do? Obviously they build robots, but also keep an engineering notebook, make a marketing presentation, outfit a marketing booth, and compete in spirit and sportsmanship.

This team –the WICHITA HOMESCHOOL ROBOTICS TEAM-- won first place in the state in the BEST award and first place in the Robot Game Award. They went on to regionals in Denver, where they also won both first place awards—and for the third time! Not only that, but they were just notified they received third place at Nationals. To put it in perspective, there are about 800 teams across the nation that compete in this robotics competition.

Rep. Humphries introduced the following members of the team; Jeremiah Schlittenhardt, Team Leader; Josiah Dunn, Seth Peniston, Liza Peniston, Jenna Schlittenhardt, Charlie Weddle, Andrew Johnson, Macallen Mages, Peyton Butler and Micah Gorman.

Other members are in the gallery, as well as their coaches for the last 22 years, Bev and David Alexander.

By the way, today is Homeschool Capitol Day. I hope you are able to meet and greet these outstanding students. And body, here is the best part . . . the robot is in the rotunda, and you can drive it! Please join me in congratulating the Wichita Homeschool Robotics Team.

INTRODUCTION OF GUESTS

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

Today we observe and celebrate Aging Services Day by which we honor and respect our elders and citizens of any age with physical or intellectual disabilities who reside in skilled nursing care centers, assisted living and home plus settings in Kansas. These residents have contributed immeasurably to the heritage, growth and success of our communities.

This is also a day to acknowledge the staff at our nursing care centers who work tirelessly doing the important work of caring for our loved ones every day. Kansas has over three hundred nursing facilities serving more than 38,000 patients. The collaborative commitment of skilled nursing care facilities, assisted living homes, and long-term care facilities and their staff to providing compassionate care to their residents is appreciated.

Standing with me, at the well, are Cheyenne Strunk, Executive Director, Ascension Living Via Christi Village Manhattan; Della Ribordy for KHCA; and Melissa Parmley, Peabody Health & Rehabilitation.

Please join me in recognizing the residents, families, caregivers, healthcare professionals, staff, and volunteers in celebrating their special day.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2658, AN ACT concerning school districts; relating to student safety and discipline; authorizing school districts to require a student who is returning to school after having been expelled for 186 days or more to attend a virtual school; requiring due process for such decisions; providing for attendance at a virtual school operated by another school district, by Representative T. Johnson.

HB 2659, AN ACT concerning education; relating to teachers; defining teachers for purposes of the Kansas public employees retirement system; transferring teachers from the Kansas public employees retirement system act of 2015 to the Kansas public employees retirement system act of 2009; amending K.S.A. 74-49,301 and repealing the existing section, by Representatives Essex, Thomas and Williams, L..

HB 2660, AN ACT concerning business entities; authorizing a change of registered office address by a current occupant under the business entity standard treatment act; changing the information required in an amendment to the articles of incorporation for a cooperative; relating to filings with the secretary of state; modifying requirements for business entity information reports; eliminating references to a certificate of fact; modifying filing requirements for registration of foreign covered entities and limited partnerships; amending K.S.A. 17-2036, 17-2718, 17-4615, 17-4634, 17-4677, 17-7002, 17-7503, 17-7504, 17-7505, 17-7506, 17-76,136, 17-76,139, 17-7903 and 17-7931 and K.S.A. 2023 Supp. 56-1a151, 56-1a605, 56-1a606, 56-1a607, 56a-1001, 56a-1201 and 56a-1202 and repealing the existing sections, by Committee on Elections.

HB 2661, AN ACT concerning boards of county commissioners; relating to vacancies created by an increase in the number of commissioner districts; providing for the staggering of terms of commissioners elected to fill such vacancies; amending K.S.A. 19-202, 19-203, 19-203a, 19-204 and 19-204a and repealing the existing sections, by Committee on Local Government.

HB 2662, AN ACT concerning taxation; relating to sales and compensating use tax; providing for a sales tax exemption for purchases of construction materials by a contractor for the Kansas fairgrounds foundation; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2663, AN ACT concerning insurance; relating to title insurance; allowing title insurance agents to submit escrow, settlement and closing funds through certain real-time or instant payment systems; amending K.S.A. 40-1137 and repealing the existing section, by Committee on Insurance.

HB 2664, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2025, for the Kansas state university extension systems and agriculture research programs for a program to increase the supply of child care providers; establishing a program to award funds to child care service providers who provide services to home-based child care providers, by Committee on Child Welfare and Foster Care.

HB 2665, AN ACT concerning motor vehicles; relating to violations of the uniform act regulating traffic on highways; increasing criminal penalties for a driver who leaves the scene of a vehicular accident when the accident results in the death of any person or more than one person, if the driver knew or reasonably should have known that such accident resulted in injury or death; amending K.S.A. 8-1602 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2666, AN ACT concerning motor vehicles; relating to fleeing or attempting to elude a police officer; increasing the criminal penalty for certain violations when the

person has prior convictions of the offense; amending K.S.A. 8-1568 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2667, AN ACT concerning the lottery operating fund; increasing transfers to the community crisis stabilization centers fund and the clubhouse model program fund of the Kansas department for aging and disability services; amending K.S.A. 2023 Supp. 74-8711 and repealing the existing section, by Committee on Appropriations.

HB 2668, AN ACT concerning public assistance; relating to cash assistance, food assistance and child care subsidy; requiring job search instead of a 20-hour work week for child care subsidy eligibility; allowing food assistance funds for advertising food assistance programs; modifying penalties for non-cooperation for all assistance programs; amending K.S.A. 2023 Supp. 39-709 and repealing the existing section, by Committee on Appropriations.

HB 2669, AN ACT concerning behavioral health; relating to the Kansas department for aging and disability services; codifying the mental health intervention team program in state statute; requiring the department to oversee implementation of the program; establishing structures for partnership between community mental health centers and school districts; providing for coordination of mental health services to students, by Committee on Health and Human Services.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2651, HB 2657.**

Commerce, Labor and Economic Development: **HB 2638, HB 2640, HB 2647, HB 2648.**

Corrections and Juvenile Justice: **HB 2639, HB 2654, HB 2655, HB 2656.**

Education: **HB 2641, HB 2644, HB 2645, HB 2646.**

Federal and State Affairs: **HB 2649, HB 2652, HB 2653.**

Health and Human Services: **HB 2642, HB 2643.**

K-12 Education Budget: **HB 2650.**

CHANGE OF REFERENCE

Speaker Hawkins announced the withdrawal of **HB 2527** from Committee on Energy, Utilities and Telecommunications and referral to Committee on Federal and State Affairs.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 15**.

Announcing passage of **SB 331**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

SB 331.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. B. Carpenter, **HR 6034**, by Reps. B. Carpenter, Hawkins, Amyx, Anderson, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carpenter, Clifford, Collins, Concannon, Croft, Curtis, Dodson,

Droge, Ellis, Eplee, Essex, Francis, Garber, Gardner, Goddard, Haswood, Hill, Hoffman, Hoheisel, Howe, Howell, Hoye, Humphries, Jacobs, Kessler, Lewis, Mason, Maughan, McNorton, Miller, Minnix, Moser, Murphy, Neelly, Owens, Penn, Pickert, Poetter Parshall, Poskin, Proctor, Rahjes, Resman, Rhiley, Roth, Sanders, Schmoe, Schreiber, Smith, Smith, Stogsdill, Tarwater, Thomas, Thompson, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White and K. Williams, as follows, was introduced and adopted:

HR 6034—A RESOLUTION strengthening the sister-state ties between the State of Kansas and Taiwan.

A RESOLUTION strengthening the sister-state ties between the State of Kansas and Taiwan and reaffirming support for Taiwan's international participation.

WHEREAS, The State of Kansas and Taiwan have enjoyed a mutually beneficial sister-state relationship since 1989; and

WHEREAS, Taiwan shares the same values of freedom, democracy, rule of law and respect for human rights with Kansas; and

WHEREAS, On January 13, 2024, Taiwan held its 8th direct presidential election, demonstrating the strength and vitality of its democratic system and confirming Taiwan's status as a beacon of democracy in Asia; and

WHEREAS, Kansas and Taiwan enjoy mutually beneficial bilateral trade relations, with Taiwan ranking as Kansas' 3rd largest import country and 11th largest export destination in 2022; and

WHEREAS, The University of Kansas has initiated a three-year academic collaborative program on Mandarin Learning and Teaching with the National Sun Yet-Sen University under the Taiwan Huayu BEST program, sponsored by Taiwan's Ministry of Education; and

WHEREAS, Negotiations for a fair and reciprocal bilateral trade agreement between Taiwan and the United States is an important step toward further strengthening bilateral trade and mutual investment between Kansas and Taiwan; and

WHEREAS, Taiwan, as a responsible stakeholder in the international community, is seeking to meaningfully participate in the United Nations, the World Health Organization, the United Nations Framework Convention on Climate Change, the International Criminal Police Organization, the International Civil Aviation Organization and the Indo-Pacific Economic Framework for Prosperity launched by United States: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That Kansas commends and applauds Taiwan's vibrant democracy and celebrates the 35th anniversary of sister-state relations with Taiwan; and

Be it further resolved: That Kansas supports the further strengthening of Kansas-Taiwan trade relations and academic exchanges; and

Be it further resolved: That Kansas reaffirms its support of Taiwan's inclusion in international organizations that are significant to the health, safety and well-being of its people; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative B. Carpenter.

INTRODUCTION OF GUESTS

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

Today, I stand before you to discuss a matter of great importance and mutual benefit—the enduring sister-state relationship between Kansas and Taiwan. Since 1989, our partnership has flourished, grounded in shared values of freedom, democracy, the rule of law, and respect for human rights. It is a bond that not only enriches our communities but also strengthens our place in the world.

In October, I had the profound honor of visiting Taiwan and meeting with President Tsai Ing-Wen. This visit was not merely a diplomatic formality; it was an immersive journey that allowed me to experience the vibrant culture, innovative spirit, and warm hospitality of the Taiwanese people. Through this exchange, I gained invaluable insights into the resilience and strength of Taiwan's democracy—a beacon of liberty in Asia, as demonstrated by their 8th direct presidential election earlier this year.

Our connections go beyond diplomatic visits; they are woven into the fabric of our economies and educational institutions. Taiwan stands as a key trading partner for Kansas, exemplifying the mutual benefits of our bilateral trade relations. Furthermore, academic collaborations, such as the partnership between the University of Kansas and National Sun Yat-sen University, underpin our commitment to cultural and educational exchange.

In the spirit of furthering our shared goals, it is imperative that we continue to support Taiwan's meaningful participation in international organizations. Their involvement is crucial for global health, safety, and prosperity. As we look to the future, let us reaffirm our commitment to strengthening Kansas-Taiwan trade relations and academic exchanges.

In the words of President Ronald Reagan, "Peace is not absence of conflict, it is the ability to handle conflict by peaceful means." This resolution embodies our commitment to peace, prosperity, and the deepening of ties that benefit both our peoples. Let us move forward with resolve, celebrating the achievements of our partnership and working together towards a brighter, more connected future.

CONSENT CALENDAR

No objection was made to **HB 2545** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub Bill for HB 2103, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; Kansas public employees retirement fund; investment standards; eliminating the statutory 15% alternative investment percentage limit thereto; requiring the board of trustees to set an alternative investment percentage limit; amending K.S.A. 2023 Supp. 74-4921 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 3; Present but not voting: 0; Absent or not voting: 9.

Yeas: Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carmichael, B. Carpenter, W. Carpenter,

Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Hill, Hoffman, Hoheisel, Hougland, Houser, Howe, Howerton, Hoyer, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoee, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Williams, L., Winn, Xu, Younger.

Nays: Garber, Jacobs, Rhiley.

Present but not voting: None.

Absent or not voting: Alcalá, Carlin, Donohoe, Helgeson, Highberger, Howell, Poetter, Stogsdill, Woodard.

The substitute bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2490** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2487** be amended on page 1, in line 8, after "offense" by inserting "or violation of a condition of probation, assignment to a community correctional services program, suspended sentence, parole, conditional release or postrelease supervision"; in line 19, by striking "one of not more than four persons" and inserting "a person"; in line 27, after "information" by inserting "that is necessary to provide the medical assistance described in paragraph (2)(A) as";

On page 2, in line 3, after "(a)" by inserting ":

(A)";

Also on page 2, in line 6, after "thereto" by inserting " and

(B) shall not have issued against such person a warrant for arrest for violation of a condition of probation, assignment to a community correctional services program, suspension of sentence, parole, conditional release or postrelease supervision pursuant to K.S.A. 22-3716 or 75-5217, and amendments thereto";

Also on page 2, in line 7, after "prosecution" by inserting "or from having an arrest warrant issued against such person"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2504** be amended on page 2, in line 34, after the period by inserting "The random selection must use a physical random method and not an electronic random number generator."; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2578** be passed.

Committee on **Insurance** recommends **HB 2531**, **HB 2532** be passed.

Committee on **Insurance** recommends **HB 2530** be amended on page 2, in line 17, by striking all after "individual"; by striking all in lines 18 through 25; in line 26, by striking all before "and"; 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. 1, by Representative Oropeza, commending Martin Cervantes for Lowriding 2 Success;

Request No. 2, Representative Howerton, commending Courtney Wages for winning the Miss Kansas Pageant 2023;

Request No. 3, Representative Proctor, commending Leavenworth High School JROTC Raiders;

Request No. 4, Representative Ohaebosim, condolences for Marice Mbata KSJ;

Request No. 5, Representative K. Williams, honoring Caleb Stout, President Advisory Committee KSU;

Request No. 6, Representative K. Williams, honoring Ella Burrows, Fort Hays, President Student Body;

Request No. 7, Representative K. Williams, honoring Jaben Parnell, Pittsburg State University, President Student body;

Request No. 8, Representative K. Williams, honoring Sophie Dawson, Emporia State University, President of Student Body;

Request No. 9, Representative K. Williams, honoring Antonio Martinez, Washburn University, President of Student body;

Request No. 10, Representative K. Williams, honoring Turner Seals, KU, President of Student body;

Request No. 11, Representative K. Williams, honoring Mark Faber, KU Medical Center;

Request No. 12, Representative K. Williams, honoring Iris Okere, Wichita State University, President of Student body;

Request No. 13, Representative J. Borjon, honoring Hayden High School Girls Golf Team, 4A 2023 Girls State Golf Champions;

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 Representative Croft 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 bills were introduced and read by title:

HB 2670, AN ACT concerning health and healthcare; relating to nonopioid alternatives for the treatment of pain; requiring the department of health and environment to develop and publish educational information regarding the use of nonopioids. , by Committee on Health and Human Services.

HB 2671, AN ACT concerning wildlife and parks; relating to hunting licenses; reducing nonresident hunting fees, including application, license, tag and miscellaneous fees, to a combined amount not to exceed \$25 and requiring such fee to be refundable for any nonresident who does not acquire a hunting permit for the applicable hunting license year; amending K.S.A. 2023 Supp. 32-988 and repealing the existing section, by

Committee on Agriculture and Natural Resources Budget.

HB 2672, AN ACT concerning wildlife; relating to hunting permits; establishing transferable landowner appreciation permits for the hunting of white-tailed deer; allowing one landowner appreciation permit for every 80 acres of land owned, up to 10 permits; establishing application and transfer requirements and providing for no-fee applications therefor; amending K.S.A. 32-937 and K.S.A. 2023 Supp. 32-988 and repealing the existing sections, by Committee on Agriculture and Natural Resources Budget.

HB 2673, AN ACT concerning public assistance; relating to food assistance; directing the secretary for children and families to request a waiver from the supplemental nutrition assistance program that would allow the state to prohibit purchase of candy and soft drinks with food assistance; amending K.S.A. 2023 Supp. 39-709 and repealing the existing section, by Committee on Welfare Reform.

HB 2674, AN ACT concerning public assistance; relating to the secretary for children and families; prohibiting the secretary from participating in the summer electronic benefits transfer for children program, by Committee on Welfare Reform.

HB 2675, AN ACT concerning children and minors; enacting the uniform nonparent visitation act; removing provisions related to grandparent and stepparent visitation rights; repealing K.S.A. 23-3301, 23-3302, 23-3303 and 23-3304, by Committee on Judiciary.

HB 2676, AN ACT concerning crimes, punishment and criminal procedure; relating to assisting suicide; adding additional conduct that constitutes such crime and providing criminal penalties therefor; amending K.S.A. 21-5407 and repealing the existing section, by Committee on Judiciary.

HB 2677, AN ACT concerning alcoholic beverages; relating to the sale of wine; authorizing cereal malt beverage retailers to sell wine; imposing the applicable retailers' sales tax on such sales; amending K.S.A. 41-212, 41-355, 41-701, 41-1101a, 41-2701, 41-2702, 41-2706, 41-2708, 41-2722, 41-2726, 41-2728 and 41-2730 and K.S.A. 2023 Supp. 41-102, 41-306a, 41-308, 41-2704 and 79-3602 and repealing the existing sections; also repealing K.S.A. 2023 Supp. 79-3602c, by Committee on Federal and State Affairs.

COMMITTEE ASSIGNMENT CHANGES

Speaker Hawkins announced the appointment of Rep. B. Carpenter to replace Rep. Donohoe on Committee on Social Services Budget on February 7, 2024.

Also, the appointment of Rep. B. Carpenter to replace Rep. Donohoe on Committee on Social Services Budget on February 13, 2024.

Also, the appointment of Rep. B. Carpenter to replace Rep. Donohoe on Committee on Social Services Budget on February 19, 2024.

Also, the appointment of Rep. Martinez to replace Rep. Carlin on Committee on Agriculture and Natural Resources on February 1, 2024.

Also, the appointment of Rep. V. Miller to replace Rep. Helgerson on Committee on Appropriations on February 5, 2024.

On motion of Rep. Croft the House adjourned pro forma until 8:30 a.m. on Friday, February 2, 2024.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*