

# Journal of the House

TWENTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 8, 2024, 11:00 a.m.

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

The roll was called with 120 members present.

Reps. Highberger, Robinson and Sawyer were excused on verified illness.

Reps. Donohoe and Moser were excused on excused absence by the Speaker.

Prayer by Chaplain Holmes:

Dear Father;

Everyone gathered in this chamber of decision and responsibility  
has been created by You.

You have blessed them with intelligence, wisdom and a desire to serve.

Thank You for calling each to this moment and hour.

Pour Your goodness into their life. Father, You remind us in Your Word

“Woe to those who call evil good and good evil.

Who substitute darkness for light and light for darkness.

Who substitute bitter for sweet and sweet for bitter.

Woe to those who are wise in their own eyes, and cleaver in their own sight.”

I pray no one in this room would find themselves caught in the company of such.

Protect them from those who would attempt to use them

for selfish purposes or personal gain.

For those wrestling with personal issues which seem to have no adequate answers,

I pray for Your illuminating Spirit to show them the path to take.

For those who are just tired and need new strength to carry on,

I pray “as their days are, their strength might be.”

I pray for the lost and broken in our sphere of influence,

that their brokenness would not define them.

Allow them to realize, because God is, they can break any cycle of bondage.

And Lord, if You want me to become a partner in their cycle breaking,

make it clear to me.

Bless our families and keep them safe from any harm.

And now Lord, engage our hearts and minds with unusual insight

as we undertake the tasks set before us. I pray this in Jesus name,

Amen.

The Pledge of Allegiance was led by Rep. Carr.

## INTRODUCTION OF GUESTS

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

Colleagues, We are paying tribute to Kansas Broadcasters and especially AM radio stations in our state. I am joined today by Kansas Association of Broadcasters and former radio personalities Representative Clark Sanders formerly of KGNO – AM, Dodge City and KSAL-AM, Salina along with Representative Kenny Titus, formally on KVGB-Great Bend and KSAL- Salina.

When big events happen from severe spring and winter storms to national emergencies even those infamous ballgames, Kansas broadcasts are there to tell the story and get the information out to the area.

Some say with other sources to find information, radio and local television has had it's peak in audience. But, ongoing ratings and surveys show your hometown stations continue to be the go to source for news, entertainment and full service information.

Today, we salute those local broadcast stations throughout our great state of Kansas for being a friend in the tractor, in the car or pick-up, on the many roads in our state, even when we have ear-buds in as we enjoy the great outdoors.

As for me, I began broadcasting in high school on KKAN-AM, Phillipsburg, then KXXX-AM, Colby, KVOE-AM, Emporia, KFRM-AM, Salina, WIBW-AM, Topeka, KKOW-AM, Pittsburg and currently at KBUF-AM, Garden City.

Please continue to listen to and support your local broadcast station: they deliver news, weather, agriculture updates, emergency preparedness and public service announcements that keep us safe and informed.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2758**, AN ACT concerning veterans and military; relating to the armed forces of the United States; clarifying the definition of armed forces; updating the definition thereof to include the space force; amending K.S.A. 44-706, 48-3401 and 65-1116 and K.S.A. 2023 Supp. 48-3407, 48-3408, 48-3601 and 65-6129 and repealing the existing sections, by Committee on Veterans and Military.

**HB 2759**, AN ACT concerning veterans and military; modifying the definition of veteran and disabled veteran; creating a common definition for veteran and disabled veteran; clarifying disability evaluations for benefits granted to disabled veterans; amending K.S.A. 8-160, 8-243, 8-1324, 73-201, 73-230, 73-1222 and 73-1239 and K.S.A. 2023 Supp. 32-934, 48-3601, 50-676, 75-3740 and 79-4502 and repealing the existing sections, by Committee on Veterans and Military.

**HB 2760**, AN ACT concerning veterans and military; relating to the transfer of powers, duties and functions of the Kansas commission on veterans affairs office; establishing the Kansas office of veterans services; amending K.S.A. 21-6630, 39-923, 65-1732, 65-2418, 73-209, 73-210, 73-230, 73-1209, 73-1210a, 73-1211, 73-1217, 73-1218, 73-1222, 73-1223, 73-1225, 73-1231, 73-1232, 73-1233, 73-1234, 73-1235, 73-1236, 73-1238, 73-1239, 73-1241, 73-1242, 73-1243, 75-3370, 75-4362, 76-6b05, 76-1904, 76-1904a, 76-1906, 76-1908, 76-1927, 76-1928, 76-1929, 76-1931, 76-1932, 76-1935, 76-1935a, 76-1936, 76-1939, 76-1941, 76-1951, 76-1952, 76-1953, 76-1954, 76-1955, 76-1956, 76-1957, 76-1958 and 79-3221k and K.S.A. 2023 Supp. 32-934, 74-

2012, 75-3740 and 77-440 and repealing the existing sections; also repealing K.S.A. 73-1208d, 73-1208e and 73-1208f, by Committee on Veterans and Military.

**HB 2761**, AN ACT concerning veterans and military; relating to veterans benefits; prohibiting certain conduct and improper collection of veterans benefit fees, by Committee on Veterans and Military.

**HB 2762**, AN ACT concerning the division of vehicles; relating to drivers' licenses and identification cards; providing for digital drivers' licenses and digital identification cards and regulating the use thereof, by Committee on Transportation.

**HB 2763**, AN ACT concerning taxation; relating to income tax; providing a tax credit for the sale and distribution of ethanol blends for motor vehicle fuels, by Committee on Taxation.

**HB 2764**, AN ACT concerning taxation; relating to income, privilege and premium tax credits; establishing a credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities; establishing a child tax credit; increasing the tax credit amount for adoption expenses and making the credit refundable; relating to sales and compensating use tax; providing for a sales tax exemption for purchases by pregnancy resource centers and residential maternity facilities; amending K.S.A. 79-32,202a and K.S.A. 2023 Supp. 79-3606 and repealing the existing sections, by Committee on Taxation.

**HB 2765**, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for period products, diapers and incontinence products; amending K.S.A. 2023 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:

Child Welfare and Foster Care: **HB 2742**.

Commerce, Labor and Economic Development: **HB 2744**, **HB 2745**.

Corrections and Juvenile Justice: **HB 2735**, **HB 2740**, **HB 2741**, **HB 2755**.

Education: **HB 2730**, **HB 2731**, **HB 2732**.

Energy, Utilities and Telecommunications: **HB 2736**.

Federal and State Affairs: **HB 2737**.

Financial Institutions and Pensions: **HB 2729**, **HB 2739**.

Health and Human Services: **HB 2746**, **HB 2747**, **HB 2748**, **HB 2749**, **HB 2750**, **HB 2751**, **HB 2756**.

Insurance: **HB 2752**.

Judiciary: **HB 2753**, **HB 2754**.

K-12 Education Budget: **HB 2738**.

Local Government: **HB 2733**, **HB 2734**.

Taxation: **HB 2728**, **HB 2757**.

Transportation: **HB 2743**.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Howe, **HR 6038**, as follows, was introduced and adopted:

**HOUSE RESOLUTION NO. HR 6038**

A RESOLUTION recognizing and thanking the Kansas Mission of Mercy volunteers for their continued generosity in providing free dental care to citizens of Kansas.

WHEREAS, Kansas dentists are caring and compassionate people; and

WHEREAS, The Kansas Mission of Mercy free dental clinic was organized by the Kansas Dental Association (KDA) through the Kansas Dental Charitable Foundation (KDCF) with funds from dentists, private foundations and other private sources; and

WHEREAS, The KDCF has held 23 annual Kansas Mission of Mercy free dental clinic events without interruption since its creation in 2002; and

WHEREAS, More than 11,500 volunteers, including 1,000 dentists, have provided over \$23 million in dental care to 32,942 patients in communities throughout Kansas since the first Kansas Mission of Mercy free dental clinic was held in Garden City in February 2003; and

WHEREAS, The most recent Kansas Mission of Mercy free dental clinic was held at Tony's Pizza Event Center in Salina, Kansas, on January 12 and 13, 2024, with a total of 503 volunteers, including 85 dentists, 43 dental hygienists and 93 dental assistants, and providing \$666,439 in dental care to 671 patients; and

WHEREAS, The Kansas Mission of Mercy free dental clinic will continue to provide care around Kansas in the future; and

WHEREAS, The strength, success, vitality and health of Kansas citizens and its communities depend in great measure upon volunteerism and programs motivated by concern and devotion such as the Kansas Mission of Mercy free dental clinic: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we recognize the Kansas Mission of Mercy free dental clinic dentists, dental hygienists, dental assistants and all volunteers; and

*Be it further resolved:* That we thank all the Kansas Mission of Mercy volunteers for their continued generosity in providing free dental care to the citizens of Kansas; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send two enrolled copies of this resolution to the Kansas Dental Association and the Kansas Dental Charitable Foundation.

**INTRODUCTION OF GUESTS**

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

Today I am honored to offer this resolution to recognize and to thank the Kansas Mission of Mercy volunteers for their continued generosity in providing free dental care to citizens of Kansas.

The Kansas Mission of Mercy is a free dental clinic, where caring and compassionate dental professionals provide charitable dental services to Kansans.

The Kansas Mission of Mercy was organized by the Kansas Dental Association

(KDA) through the Kansas Dental Charitable Foundation (KDCF) with funds from dentists, private foundations and other private sources. To date, there have been 23 annual Kansas Mission of Mercy free dental clinic events without interruption since its creation.

More than 11,500 volunteers, including 1,000 dentists, have provided over \$23 million in dental care to nearly 33,000 patients in communities throughout Kansas since the first Kansas Mission of Mercy free dental clinic was held in Garden City in February 2003.

The most recent Kansas Mission of Mercy was held at Tony's Pizza Event Center in Salina, Kansas, on January 12 and 13 of this year. Despite the frigid temperatures, a total of 503 volunteers, including 85 dentists, 43 dental hygienists and 93 dental assistants, worked together to provide \$666,439 in dental care to 671 patients.

The strength, success, vitality and health of Kansas citizens and its communities depend in great measure upon volunteerism and programs motivated by concern and devotion such as the Kansas Mission of Mercy free dental clinic.

Mr. Speaker, standing with me today are dentists from all parts of Kansas that traveled to my district in Salina for the most recent Kansas Mission of Mercy clinic. Their efforts make a difference in countless ways, and it truly gives us all something to smile about.

Now, therefore, be it resolved by the House of Representatives of the State of Kansas: That we recognize the Kansas Mission of Mercy free dental clinic dentists, dental hygienists, dental assistants and all the volunteers for their continued generosity in providing free dental care to the citizens of Kansas.

Mr. Speaker, and fellow members of the House of Representatives, please join me so that we can extend our heartfelt appreciation for our Kansas dental professionals and their efforts with the Kansas Mission of Mercy.

### **CONSENT CALENDAR**

No objection was made to **HB 2632** appearing on the Consent Calendar for the first day.

### **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2490**, AN ACT concerning children and minors; relating to juvenile offenders; limiting overall case length limit extensions to 90 days per extension; amending K.S.A. 2023 Supp. 38-2391 and repealing the existing section, 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, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Houglund, Houser, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Murphy, Neelly,

Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Roth, Ruiz, L., Ruiz, S., Sanders, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Williams, L., Winn, Woodard, Xu, Younger.

Nays: None.

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Moser, Robinson, Sawyer.

The bill passed.

**HB 2522**, AN ACT concerning the secretary of corrections; relating to release of offenders; requiring the secretary to assist inmates with obtaining identification and employment related documentation prior to release from custody, 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, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Hougland, Houser, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Roth, Ruiz, L., Ruiz, S., Sanders, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Williams, L., Winn, Woodard, Xu, Younger.

Nays: None.

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Moser, Robinson, Sawyer.

The bill passed, as amended.

**HB 2578**, AN ACT concerning health and healthcare; relating to certified community behavioral health clinics; providing for renewal certification of programs and treatments that have been previously certified or accredited; amending K.S.A. 39-2019 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 12; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clifford, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Hougland, Houser, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler,

Landwehr, Lewis, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, V., Minnix, Murphy, Neely, Neighbor, Ohaebosim, Oropeza, Osman, Owens, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Roth, Ruiz, L., Ruiz, S., Sanders, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Williams, L., Winn.

Nays: Carr, Collins, Haswood, Martinez, Meyer, Miller, S., Ousley, Penn, Vaughn, Woodard, Xu, Younger.

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Moser, Robinson, Sawyer.

The bill passed, as amended.

On motion of Rep. Croft, the House resolved into the Committee of the Whole, with Rep. Sanders in the chair.

#### COMMITTEE OF THE WHOLE

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

Recommended that **HB 2531**, **HB 2532** be passed.

Committee report to **HB 2530** be adopted; and the bill be passed as amended.

#### INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Croft pursuant to House Rule 2311, **HB 2530**, **HB 2531** and **HB 2532** were advanced to Final Action on Bills and Concurrent Resolutions.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2530**, AN ACT concerning insurance; relating to insurance laws and enforcement thereof; removing automobile club from the definition of person; amending K.S.A. 2023 Supp. 40-2,125 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 2; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Hougland, Houser, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Murphy, Neely, Neighbor, Ohaebosim, Oropeza, Osman, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Roth, Ruiz, L., Ruiz, S., Sanders, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Williams, L., Winn, Woodard, Xu, Younger.

Nays: Carmichael, Ousley.

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Moser, Robinson, Sawyer.

The bill passed, as amended.

**HB 2531**, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2023 Supp. 40-2c01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 12; Present but not voting: 0; Absent or not voting: 5.

Yeas: Amyx, Anderson, Averkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Hougland, Houser, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Murphy, Neelly, Neighbor, Osman, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Roth, Sanders, Clayton, Schmoe, 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, Woodard, Xu, Younger.

Nays: Alcalá, Carmichael, Carr, Curtis, Melton, Ohaebosim, Oropeza, Ousley, Ruiz, L., Ruiz, S., Schlingensiepen, Stogsdill.

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Moser, Robinson, Sawyer.

The bill passed.

**HB 2532**, AN ACT concerning insurance; relating to group-funded liability and group-funded workers compensation pools; changing certain reporting requirements; amending K.S.A. 12-2620, 44-584 and 44-590 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 8; Present but not voting: 0; Absent or not voting: 5.

Yeas: Amyx, Anderson, Averkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Hougland, Houser, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, McDonald, McNorton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Murphy, Neelly, Neighbor, Ohaebosim, Osman, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Roth, Ruiz, L., Sanders, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Williams, L., Winn, Woodard, Xu, Younger.

Nays: Alcalá, Carmichael, Carr, Martinez, Melton, Oropeza, Ousley, Ruiz, S..

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Moser, Robinson, Sawyer.

The bill passed.



**REPORTS OF STANDING COMMITTEES**

Committee on **Education** recommends **HB 2494** be amended by substituting with a new bill to be designated as "Substitute for HOUSE BILL NO. 2494," as follows:

"Substitute for HOUSE BILL NO. 2494

By Committee on Education

"AN ACT concerning school districts; relating to emergency response policies; establishing requirements for cardiac emergency response plans; creating the school cardiac emergency response grant fund."; and the substitute bill be passed.

(**Sub HB 2494** was thereupon introduced and read by title.)

Committee on **Elections** recommends **HB 2512** be amended by substituting with a new bill to be designated as "Substitute for HOUSE BILL NO. 2512," as follows:

"Substitute for HOUSE BILL NO. 2512

By Committee on Elections

"AN ACT concerning elections; relating to advance voting ballots; requiring county election officers to provide at least four hours of advance in-person voting on the Saturday before an election; providing that after January 1, 2025, if such ballots are cast in person, they be received in the county election office by 7:00 p.m. on the Sunday preceding the election; amending K.S.A. 25-1128 and 25-1128, as amended by section 3 of this act, and K.S.A. 2023 Supp. 25-1122 and 25-1122, as amended by section 1 of this act, and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2512** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **HB 2548** be amended on page 1, in line 17, after "receiving" by inserting "end-of-life"; also in line 17, by striking all after "at"; in line 18, by striking "resident of"; in line 25, after "(c)" by inserting "When providing end-of-life care,";

On page 2, in line 6, by striking all after "patient"; in line 7, by striking "care"; also in line 7, by striking "two" and inserting "one or more"; in line 19, by striking "Terminally ill or";

On page 3, in line 10, after "website" by inserting a colon;

Also on page 3, also in line 10, after "website" by inserting:

"(1)";

Also on page 3, also in line 10, after "requirements" by inserting a semicolon; also in line 10, after "and" by inserting:

"(2)";

Also on page 3, also in line 10, after "link" by inserting "for individuals"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2549**, **HB 2557**, **HB 2604**, **HB 2605** be passed.

Committee on **Legislative Modernization** recommends **HB 2614**, **HB 2615** be passed.

Committee on **Water** recommends **HB 2633** be passed.

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 2766**, AN ACT concerning real property; relating to certain lands and military installations; creating the Kansas land and military installation protection act; prohibiting foreign principals from countries of concern from holding any interest in certain real property in this state; prohibiting foreign principals from countries of concern from receiving any economic development program benefits; amending K.S.A. 2023 Supp. 60-4104 and repealing the existing section, by Committee on Appropriations.

**HB 2767**, AN ACT concerning the administrative procedure act; relating to service of order or notice; requiring agencies and other entities subject to the administrative procedure act to confirm receipt of service of an order or notice prior to the imposition of fines or penalties; amending K.S.A. 77-531 and repealing the existing section, by Committee on Energy, Utilities and Telecommunications.

**HB 2768**, AN ACT concerning energy; relating to certain electric generation facilities; providing a property tax exemption for new electric generation facilities and new pollution control devices and additions constructed or installed at electric generation facilities; sunsetting the current property tax exemptions for certain existing electric generation facilities; removing the commission's consideration of a utility assuming the cost of decommissioning, waste disposal and clean up when determining prudent investments; removing the requirement that the state corporation commission disallow cost recovery for certain nuclear facilities that provide excess capacity; amending K.S.A. 66-128g, 66-1,158, 79-257 and 79-258 and repealing the existing sections; also repealing K.S.A. 66-128h, by Committee on Energy, Utilities and Telecommunications.

**HB 2769**, AN ACT concerning public assistance; relating to public schools and school districts; requiring schools and school districts to participate in federal meal programs for students; providing for reimbursement for free meals provided to students; including calculation of reimbursement for all public schools and school districts, by Committee on Child Welfare and Foster Care.

**HB 2770**, AN ACT concerning public assistance; relating to the secretary for children and families; creating the Kansas food and financial literacy grant program for local service providers to develop food and financial literacy materials for food assistance applicants and recipients; requiring grantees to distribute and make available free materials and training opportunities for such applicants and recipients; establishing the Kansas food and financial literacy grant program fund, by Committee on Child Welfare and Foster Care.

**HB 2771**, AN ACT concerning commerce; relating to the secretary of commerce; creating the healthy food site grant program and fund; directing the secretary to award grants for the establishment of food retail or food system enterprises within one mile of a school in a designated food desert in an urban area; requiring grantees to improve community access to healthy food therein, by Committee on Child Welfare and Foster Care.

**HB 2772**, AN ACT concerning children and minors; establishing the Kansas Indian child welfare act; providing additional requirements for child custody proceedings involving Indian children; defining terms used in such act; granting jurisdiction over

proceedings that involved an Indian child to such child's Indian tribe; requiring the secretary to notify Indian tribes if a proceeding involves an Indian child, to seek placement of an Indian child with an Indian custodian or person committed to such child's culture; declaring standards for proceedings involving an Indian child; providing for notice requirement of such proceedings; identifying when to notify and duties of the United States secretary of the interior, by Committee on Child Welfare and Foster Care.

**HB 2773**, AN ACT concerning sales taxation; relating to exemptions; providing a sales tax exemption for certain purchases by the boys' and girls' club of Topeka; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2774**, AN ACT creating the Kansas workforce pathway act; establishing the office of workforce pathways within the department of commerce and the Kansas council on workforce pathways; providing for a system for linking and analyzing data and statistics concerning Kansas workforce; providing for a free, searchable public online registry of educational and occupational credentials and restricting the release of personally identifiable information therefrom; prescribing procedures to prevent data breaches and providing funding therefor, by Committee on Commerce, Labor and Economic Development.

**HB 2775**, AN ACT concerning economic development; relating to fees assessed by the department of commerce for applications by businesses for certain economic development incentive programs; providing for a fee based on a certain percentage of the total incentive package within a specified range instead of a flat fee; amending K.S.A. 74-50,225 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

**HB 2776**, AN ACT concerning workers compensation; relating to coverage under the act, notice, benefits, liability limitations, definitions, evidentiary standards, hearings, admission of evidence, procedures, settlements and other matters; providing coverage for members of the Kansas national guard under the workers compensation act; limiting reduction to awards for functional impairment on the basis of preexisting impairment to preexisting impairment to the same physical structure as the body part injured; limiting reductions to benefits based on retirement benefits; defining registered mail; requiring a judicial determination of dependency for immediate payment of death benefit; increasing the maximum amount of death benefits; extending the time period for payments to dependent children when in schools; providing for a yearly adjustment to the maximum death benefit to commence in 2027; increasing the minimum weekly payment for permanent total disability; adding certain functional impairment requirements to the determination of permanent total disability; increasing the minimum weekly payment amount for temporary total disability; providing that loss of use of a scheduled member shall be the percentage of functional impairment the employee sustained on account of the injury; reducing the percentage of functional impairment required for eligibility for permanent partial general disability compensation; increasing employers' maximum liability for permanent total disability, temporary total disability, permanent or temporary partial disability and permanent partial disability and providing for a yearly adjustment in such maximum liability limits to commence in 2027; applying an employer's credit for voluntary payments of unearned wages to any award; increasing the maximum employer liability for unauthorized medical care; increasing the evidentiary standard for future medical treatment after maximum medical

improvement in certain circumstances; limiting proceedings for post-award medical benefits; creating a presumption that no costs or attorney fees be awarded when requests for post-award medical benefits are provided within 30 days; defining money for purposes of the average weekly wage; excluding the first week of employment in the calculation of an employee's average weekly wage under certain circumstances; allowing payment of certain benefits by electronic funds transfer or payment card; increasing employer liability for expenses of claimant for required examinations; establishing procedures for neutral healthcare examinations and for the exchange of medical reports between parties; providing for the admission of medical reports without necessity of additional foundation subject to compliance with certain procedures; extending deadlines for notice to an employer by an employee of injury; eliminating the three-year deadline for a claimant's motion to extend time for proceeding to avoid dismissal for lack of prosecution; prohibiting an award from including future medical treatment unless a specified standard of proof is met; clarifying certain language referencing a claimant; providing a procedure for expedited settlement on written stipulations by means of a form established by the director of workers compensation; allowing the record of hearings by digital recording and transcription by either a court reporter or a notary public; providing that certified reporters fees be taxed as costs if no record is taken; providing for the workers compensation fund to implead a principal as a party in a proceeding; providing for certain other changes to the workers compensation act; amending K.S.A. 44-501, 44-508, 44-510b, 44-510c, 44-510d, 44-510e, 44-510f, 44-510h, 44-510k, 44-511, 44-512, 44-515, 44-516, 44-519, 44-520, 44-523, 44-525, 44-526, 44-531, 44-534a, 44-552 and 44-566a and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2777**, AN ACT concerning health and healthcare; relating to patient care facilities; prohibiting the state fire marshal and the marshal's representatives from wearing or operating a body camera during an on-site inspection at a patient care facility, by Committee on Health and Human Services.

**HB 2778**, AN ACT concerning health and healthcare; relating to dietitians; enacting the dietician compact to provide interstate practice privileges, by Committee on Health and Human Services.

**HB 2779**, AN ACT concerning health professions and practices; related to optometry; modifying certain provisions of the optometry law related to scope of practice, definitions and credentialing requirements; amending K.S.A. 65-1501, 65-1501a, 65-1509a, 65-1512 and 74-1504 and repealing the existing sections; also repealing K.S.A. 65-1514 and 74-1505, by Committee on Health and Human Services.

**HB 2780**, AN ACT concerning civil actions; relating to compensation for certain persons convicted and subsequently imprisoned for one or more crimes that such person did not commit; amending K.S.A. 2023 Supp. 60-5004 and repealing the existing section, by Committee on Judiciary.

**HB 2781**, AN ACT concerning the crime victims compensation board; relating to claims for compensation; allowing compensation for criminally injurious conduct; increasing the amount of awards and increasing the amount that can be transferred from the crime victims compensation fund to the crime victims assistance fund in each fiscal year; amending K.S.A. 75-752 and K.S.A. 2023 Supp. 74-7305 and repealing the existing sections, by Committee on Judiciary.

**HB 2782**, AN ACT concerning criminal procedure; relating to execution of death sentences; requiring the secretary of corrections to select the method of carrying out a sentence of death by hypoxia; requiring the district court to send the secretary a warrant commanding the secretary to proceed to carry out a sentence of death within 30 days after judgment is final; amending K.S.A. 21-6619, 22-4001 and 22-4013 and repealing the existing sections, by Committee on Judiciary.

**HB 2783**, AN ACT concerning motor vehicles; prohibiting any state agency, city or county from regulating or restricting the use or sale of motor vehicles based on the energy source used; allowing the state agency, city or county to establish motor vehicle purchase policies for such state agency, city or county, by Committee on Federal and State Affairs.

**HB 2784**, AN ACT concerning adult care homes; relating to continuing care retirement communities; transferring authority for certification of such facilities from the Kansas insurance department to the Kansas department for aging and disability services; lowering the nursing facility provider assessment for such facilities; amending K.S.A. 39-923, 40-2231, 40-2232, 40-2233, 40-2234, 40-2235 and 40-2238 and K.S.A. 2023 Supp. 39-936 and 75-7435 and repealing the existing sections, by Committee on Health and Human Services.

#### REPORT ON ENROLLED RESOLUTIONS

**HR 6034** reported correctly enrolled and properly signed on February 8, 2024.

#### COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Carpenter announced the appointment of Rep. Borjon to replace Rep. Howe on Committee on Appropriations February 16, 2024.

Also, the appointment of Rep. Wasinger to replace Rep. Howe on Committee on Appropriations February 15, 2024

Also, the appointment of Rep. Roth to replace Rep. Turner on Committee on Health and Human Services on February 12, 2024.

Also, the appointment of Rep. Meyer to replace Rep. Woodard on Committee on Elections Feb 8, 2024

On motion of Rep. Croft the House adjourned pro forma until 11:00 a.m. on Friday, February 9, 2024.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

