

# Journal of the House

TWENTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, February 24, 2020, 11:00 a.m.

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

The roll was called with 120 members present.

Rep. Thimesch was excused on verified illness.

Reps. Carlin, Henderson, Hodge and Horn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker,

Almighty God,  
we lift up our hearts and minds to You  
as we begin this week.  
Thank You for the blessings You have given each of us.  
I ask for Your grace and favor upon each member.  
May unity among them be realized  
even in the midst of diversity and controversy.  
May all their work contribute to the ways of  
justice for all and peace that is lasting.  
Be with them as they assemble today  
and may Your spirit prevail,  
resulting in what is good for all people.  
This I pray in Your Name,  
Amen.

The Pledge of Allegiance was led by Rep. Amyx.

## INTRODUCTION OF GUESTS

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

Kansas FFA Association was chartered by the National FFA Organization in 1928. The current membership in Kansas is more than 9,600 members and 211 chapters. Kansas has chartered more than 30 new chapters within the last four years. With over 250 careers in agriculture, the opportunities are abundant for students and within our states largest industry.

Rep. Thompson introduced the following FFA Officers:

- President: Logan Elliott - Riverton FFA Chapter
- Vice President: Abby Goins - Labette County FFA Chapter
- Secretary: Elizabeth Wright - Blue Valley FFA Chapter
- Treasurer: Lukas Sebesta - Ellsworth FFA Chapter
- Reporter: JW Wells - Sedan FFA Chapter
- Sentinel: Mason Prester - Wilson FFA Chapter

All FFA state officers are attending Kansas State University and have recently returned from a study abroad trip to Spain and Portugal.

Members of the House joined Rep. Thompson in welcoming his guests.

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

The following bills were introduced and read by title:

**HB 2726**, AN ACT concerning income taxation; relating to corporate tax returns; extending the dates when tax returns are required to be filed; amending K.S.A. 79-3221 and repealing the existing section, by Committee on Taxation.

**HB 2727**, AN ACT concerning sales taxation; relating to exemptions; requirements of new exemptions; exemption for envision, inc. and friends of hospice of Jefferson county; imposing sales tax on certain services; amending K.S.A. 79-3603 and 79-3606 and repealing the existing sections, by Committee on Taxation.

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

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2723**, **HB 2724**, **HB 2725**.

### **MESSAGES FROM THE SENATE**

Announcing passage of **SB 58**, **SB 270**, **SB 285**, **SB 286**, **SB 287**, **SB 305**, **SB 306**, and **SB 342**.

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

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

**SB 58**, **SB 270**, **SB 285**, **SB 286**, **SB 287**, **SB 305**, **SB 306**, **SB 342**.

### **CONSENT CALENDAR**

Objection was made to **HB 2478**, **HB 2509**, **HB 2510**, **HB 2576**, **HB 2583** appearing on the Consent Calendar; the bills were placed on the Calendar under the heading General Orders.

### **REPORTS OF STANDING COMMITTEES**

Committee on **Agriculture** recommends **HB 2575** be amended on page 1, in line 14, by striking "subsection"; and the bill be passed as amended.

Committee on **Energy, Utilities and Telecommunications** recommends **HB 2585** be passed.

Committee on **Energy, Utilities and Telecommunications** recommends **HB 2618** be amended on page 4, following line 3, by inserting:

"(i) On or before June 30 of each year, the department of commerce shall publish on its website and provide to the legislature a report with information pertaining to applications, challenges and any other pertinent project or application activity."; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2400** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2400," as follows:

"Substitute for HOUSE BILL NO. 2400  
By Committee on Federal and State Affairs

"AN ACT concerning food products; relating to the Kansas food, drug and cosmetic act; regulating the sale and distribution of kratom products; amending K.S.A. 65-656 and repealing the existing section.";

And the substitute bill be passed.

(Sub **HB 2400** was thereupon introduced and read by title.)

Committee on **K-12 Education Budget** recommends **HB 2540** be amended on page 2, in line 28, by striking "2020" and inserting "2025";

On page 3, in line 9, after "At-risk" by inserting "and provisional at-risk"; in line 35, after "programs" by inserting ", unless such program is a provisional at-risk educational program. Expenditures shall only be made for a provisional at-risk educational program for the first year such program is implemented by a school district. The state board shall review any such provisional at-risk educational program, and if such program satisfies the state board's requirements as an evidence-based best practice, then such program shall be included in the list of approved at-risk educational programs";

Also on page 3, in line 39, after "at-risk" by inserting "and provisional at-risk"; in line 43, after "at-risk" by inserting "or provisional at-risk";

On page 4, in line 2, after "at-risk" by inserting "and provisional at-risk"; in line 7, after "assistance" by inserting "by a comparison of students receiving such service or assistance with all other students"; in line 8, by striking all after "progress"; in line 9, by striking "provided" and inserting ", attendance and, if applicable, state assessment score, four-year graduation rate and average ACT composite score"; in line 18, by striking "and"; in line 22, after "services" by inserting "; and

(3) "provisional at-risk educational program" means an evidence-based at-risk program or service identified by a school district as producing or likely to produce measurable success that has been submitted to the state board for review pursuant to subsection (d)"; and the bill be passed as amended.

Committee on **Social Services Budget** recommends **HB 2549** be passed.

Committee on **Social Services Budget** recommends **HB 2550** be amended on page 2, by striking all in line 1 and inserting:

"KanCare non-caseloads (039-00-1000-0612)..... \$12,542,000";

Also on page 2, by striking all in line 14 and inserting:

"KanCare non-caseloads (039-00-1000-0612)..... \$10,850,000";

Also on page 2, by striking all in line 27 and inserting:

"KanCare non-caseloads (039-00-1000-0612)..... \$10,128,000";

And the bill be passed as amended.

Committee on **Transportation** recommends **HB 2180** be amended by substituting with a new bill to be designated as "Substitute for HOUSE BILL NO. 2180," as follows:

"Substitute for HOUSE BILL NO. 2180

By Committee on Transportation

"AN ACT concerning vehicles; relating to registration and titles; fees, disposition; amending K.S.A. 8-195, 74-2013 and 79-3604 and K.S.A. 2019 Supp. 8-132, 8-135, 8-135a, 8-135c, 8-139, 8-143, 8-143j, 8-145, 8-145d, 8-167, 8-170, 8-172, 8-198 and 58-4204 and repealing the existing sections.";

And the substitute bill be passed.

(**Sub HB 2180** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **HB 2592** be amended on page 5, following line 34, by inserting:

"New Sec. 4. (a) On and after January 1, 2021, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one alpha kappa alpha license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) Alpha kappa alpha may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee may apply annually to alpha kappa alpha for the use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) Alpha kappa alpha, who shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer an alpha kappa alpha license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-

132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or faxed by alpha kappa alpha, or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) Alpha kappa alpha shall provide to all county treasurers an electronic mail address where applicants can contact alpha kappa alpha for information concerning the application process or the status of such applicant's license plate application.

(h) Alpha kappa alpha, with the approval of the director of vehicles, shall design a license plate to be issued under the provisions of this section.

(i) As a condition of receiving the alpha kappa alpha license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, license plate number and vehicle type to alpha kappa alpha and the state treasurer.

(j) The collection and remittance of annual royalty payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto.

New Sec. 5. (a) On and after January 1, 2021, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one back the badge license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and payment to the county treasurer of the law enforcement memorial fee as provided for in subsection (b).

(b) Any applicant for a back the badge license plate authorized by this section shall make an annual payment of a law enforcement memorial fee to the county treasurer of \$50 for each license plate to be issued. Any law enforcement memorial fee payment received pursuant to this section shall be used to support the memorial to law enforcement officers that is located on the grounds of the state capitol established by K.S.A. 75-2250, and amendments thereto.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall pay to the county treasurer the law enforcement memorial fee as provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a back the badge license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant pays the law enforcement memorial fee to the county treasurer as provided for in subsection (b). If the annual law enforcement memorial fee payment is not made to the county treasurer at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The back the badge license plate shall have a background design, an emblem or colors that designate the license plate as a back the badge license plate.

(h) As a condition of receiving the back the badge license plate and any subsequent registration renewal of such license plate, the applicant shall provide consent to the division authorizing the division's release of motor vehicle record information to the state treasurer, including the applicant's name, address, law enforcement memorial fee payment amount, license plate number and vehicle type.

(i) Annual law enforcement memorial fee payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the law enforcement memorial fund created by K.S.A. 75-2250, and amendments thereto. All expenditures from the law enforcement memorial fund shall be made in accordance with K.S.A. 75-2250, and amendments thereto.

New Sec. 6. (a) On and after January 1, 2021, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one blackout license plate for each such passenger vehicle or truck. This license plate shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and payment to the county treasurer of the local roads improvement fee as provided for in subsection (b).

(b) Any applicant or renewal for a blackout license plate authorized by this section shall make an annual payment of a local roads improvement fee of \$35 to the county treasurer for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall pay to the county treasurer the local roads improvement fee as provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a blackout license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-

132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant pays the local roads improvement fee to the county treasurer as provided for in subsection (b). If the annual local roads improvement fee payment is not made to the county treasurer at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The blackout license plate shall have a background design, an emblem or colors that designate the license plate as a blackout license plate.

(h) As a condition of receiving the blackout license plate and any subsequent registration renewal of such license plate, the applicant shall provide consent to the division authorizing the division's release of motor vehicle record information to the state treasurer, including the applicant's name, address, local roads improvement fee amount, license plate number and vehicle type.

(i) Annual local roads improvement fee payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the local roads improvement fund. The local roads improvement fund is hereby created in the state treasury and shall be administered by the secretary of transportation. Expenditures from the local roads improvement fund may be made for the purposes of providing state moneys for a cost-share program between the department of transportation and participating cities and counties for modernization and expansion projects in such cities and counties. Participating cities and counties shall provide local moneys to match expenditures of state moneys from the local roads improvement fund on a minimum of \$1 of local moneys to a maximum of \$3 of state moneys basis. All expenditures from the local roads improvement fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of transportation or the secretary's designee.";

Also on page 5, in line 43, by striking "500" and inserting "250";

On page 6, in line 4, by striking "or" and inserting a comma; also in line 4, after "8-1,188" by inserting "or section 6"; in line 11, by striking the first "and" and inserting a comma; also in line 11, after "8-1,183" by inserting "and section 5";

On page 7, in line 1, by striking "250" and inserting "125"; in line 6, by striking "500" and inserting "250"; in line 8, by striking "250" and inserting "125";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "and" and inserting a comma; in line 3, after "educator" by inserting ", alpha kappa alpha, back the badge and blackout"; and the bill be passed as amended.

## **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Seiwert to replace Rep. Thimesch on Taxation on February 24, 2020.

Also, the appointment of Rep. Amyx to replace Rep. Horn on Joint Committee on Building Construction on February 24, 2020.

Also, the appointment of Rep. Woodard to replace Rep. Carlin on Committee on Appropriations on February 24, 2020.

**REPORT ON ENGROSSED BILLS**

**HB 2500, HB 2515, HB 2521** reported correctly engrossed February 21, 2020.

On motion of Rep. Hawkins, the House adjourned until 9:00 a.m., Tuesday, February 25, 2020.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

