

Journal of the House

TWENTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 11, 2021, 11:00 a.m.

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

The roll was called with 122 members present.

Reps. Howard and Victors were excused on verified illness.

Rep. Weigel was excused on excused absence by the Speaker.

Present later: Rep. Weigel

Prayer by Chaplain Brubaker,

Almighty God,
As the Psalmist cried out
“I lift up my eyes to the mountains—
where does my help come from?
My help comes from the Lord,
the Maker of heaven and earth.”
As we stand before you today,
we repent of our dependence on our own power and wisdom
and diligently seek Your help.
May our deliberations reflect Your mindfulness
and our decisions represent Your vision.
Help us to live up to Your faith and believe in us.
This I pray in Christ’s name, Amen.

The Pledge of Allegiance was led by Rep. Kuether.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2355, AN ACT concerning elections; clarifying certain election laws; amending K.S.A. 10-120, 19-3419 and 19-3422 and K.S.A. 2020 Supp. 25-433 and repealing the existing sections, by Committee on Elections.

HB 2356, AN ACT concerning civil actions and civil procedure; relating to partition; prescribing procedures and requirements for partition of certain real property; enacting the uniform partition of heirs property act, by Committee on Judiciary.

HB 2357, AN ACT concerning taxation; relating to income tax; establishing the property tax relief act that provides residential property tax refunds; providing for an expiration of the selective assistance for effective senior relief credit and homestead property tax refund; amending K.S.A. 79-32,263 and 79-4508 and repealing the existing sections, by Committee on Taxation.

HB 2358, AN ACT concerning sales taxation; relating to exemptions; defining nonprofit integrated community care organizations and providing an exemption therefor; amending K.S.A. 79-3602 and 79-3606 and repealing the existing sections, by Committee on Taxation.

HB 2359, AN ACT concerning education finance; relating to the Kansas school equity and enhancement act; establishing the nonproficient student weighting; amending K.S.A. 2020 Supp. 72-5131, 72-5132 and 72-5171 and repealing the existing sections, by Committee on K-12 Education Budget.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolutions were referred to committees as indicated:

Agriculture: **HB 2309, HB 2310, HB 2331, HB 2335, HB 2336.**

Appropriations: **HB 2353.**

Children and Seniors: **HB 2338, HB 2345.**

Commerce, Labor and Economic Development: **HB 2305, HB 2306, HB 2307, HB 2311, HB 2312, HB 2351, HB 2354.**

Corrections and Juvenile Justice: **HB 2318, HB 2346, HB 2347, HB 2349, HB 2350.**

Education: **SB 32, SB 64.**

Elections: **HB 2319, HB 2326, HB 2332, HB 2333, HB 2334, HB 2339, HB 2344.**

Energy, Utilities and Telecommunications: **HB 2321, HB 2329, HB 2330.**

Federal and State Affairs: **HB 2323, HB 2340, HCR 5011, HCR 5012.**

Financial Institutions and Rural Development: **HB 2320.**

Health and Human Services: **HB 2327, HB 2342, SB 55.**

Insurance and Pensions: **HB 2324, HB 2325, HB 2343, HB 2348.**

Judiciary: **HB 2308, HB 2322, SB 58.**

Taxation: **HB 2303, HB 2304, HB 2313, HB 2314, HB 2315, HB 2316, HB 2317, HB 2328, HB 2352, SB 22, SB 70.**

Transportation: **HB 2337, HB 2341, SB 36.**

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6009--**

By Committee on Appropriations

HR 6009-- A RESOLUTION disapproving Executive Reorganization Order No. 47, renaming the Kansas department for children and families the Kansas department of human services and abolishing the Kansas department for aging and disability services and transferring powers, duties and functions to the Kansas department of human services.

Be it resolved by the House of Representatives of the State of Kansas: That Executive Reorganization Order No. 47 is hereby disapproved in accordance with Section 6 of Article 1 of the Constitution of the State of Kansas; and

Be it further resolved: That the chief clerk of the house of representatives shall transmit a copy of this resolution to the governor and the secretary of state; and

Be it further resolved: That the secretary of state shall cause this resolution to be published in the session laws to show permanently the disapproval of Executive Reorganization Order No. 47 by the House of Representatives.

CONSENT CALENDAR

No objection was made to **HB 2050** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2050, AN ACT concerning the legislative division of post audit; removing the requirement to submit certain documents thereto; amending K.S.A. 22-4514a, 75-3728c, 76-721 and 79-3233b and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors, Weigel.

The bill passed.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Sutton in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **SB 15**, **HB 2103**, **HB 2134**, **HB 2109**, **HB 2074** **HB 2120** be passed.

Committee report to **HB 2121** be adopted; and the bill be passed as amended.

Committee report to **HB 2165** be adopted; and the bill be passed as amended.

Committee report to **HB 2001** be adopted; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HB 2001**, **HB 2074**, **HB 2103**, **HB 2109**, **HB 2120**, **HB 2121**, **HB 2134**, **HB 2165** and **SB 15** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 15, AN ACT concerning financial institutions; enacting the Kansas economic recovery loan deposit program; relating to credit unions, field of membership; banks, trust companies and savings and loan institutions, privilege tax, deduction of net interest received from certain agricultural real estate loans and single family residence loans; amending K.S.A. 75-4237 and 79-1109 and K.S.A. 2020 Supp. 17-2205 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Alcalá.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER, I voted YES on **SB 15**. Last year I voted NO on a similar bill because the credit union “compromise” was outside the original vision and mission of credit unions. By increasing the field of membership to community up to 2,500,000 people those businesses are getting asset sizes that are now looking, ating and competing with small banks. When you start acting like a bank you should play by for-profit banking rules and pay bank fees to the State. – BILL RHILEY

HB 2103, AN ACT concerning agriculture; relating to environmental remediation; establishing the Kansas pesticide waste disposal program and the Kansas pesticide waste disposal fund; permitting annual transfers from the Kansas agricultural remediation fund to the Kansas pesticide waste disposal fund; amending K.S.A. 2-3702

and K.S.A. 2020 Supp. 2-3708 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

HB 2134, AN ACT concerning insurance; relating to the reinsurance of risk; updating the national association of insurance commissioners credit for reinsurance model law; insurance holding company act; codifying the national association of insurance commissioners credit for insurance model regulation; amending K.S.A. 2020 Supp. 40-221a, 40-3302, 40-3304 and 40-3306 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

HB 2109, AN ACT concerning the board of indigents' defense services; relating to appointments to the board; increasing population threshold of a county required to have a lawyer member; increasing number of lawyer members; decreasing number of non-lawyer members; amending K.S.A. 22-4519 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 36; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Baker, Ballard, Barker, Bergkamp, Bishop, Borjon, Burroughs, Byers, Carlson, Carmichael, B. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoheisel, Hoyer, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Mason, Kuether, Landwehr, Long, Lynn, Miller, Moser, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poskin, Probst, Proctor, Proehl, Ralph, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sawyer, Schreiber, Smith, A., Smith, C., Stogsdill, Thompson, Toplikar, Vaughn, Waggoner, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Arnberger, Awerkamp, Bergquist, Blex, Burriss, Carlin, W. Carpenter, Corbet, Delperdang, Esau, Estes, Fairchild, Garber, Helmer, Hoffman, Houser, Howe, Huebert, Jacobs, Lee-Hahn, Mason, Minnix, Murphy, Penn, Poetter, Rahjes, Resman, Rhiley, Sanders, Seiwert, Smith, E., Sutton, Tarwater, Thomas, Turner, Wasinger.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER, I voted NO on **HB 2109** because I disagree that the number of non-lawyer members on the Indigent Defense Board should be decreased and the licensed lawyers should increase by one. It is important to maintain a civilian balance on a board that oversees lawyers that are working for the public interest to protect the least financially capable of our state – BILL RHILEY, RANDY GARBER, TATUM LEE-HAHN

HB 2121, AN ACT concerning crimes, punishment and criminal procedure; relating to defendants who abscond from supervision; definitions; amending K.S.A. 75-5217 and K.S.A. 2020 Supp. 22-2202 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 22; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highland, Hoffman,

Hoheisel, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Owens, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore.

Nays: Burris, Byers, Carlin, Coleman, Curtis, Day, Fairchild, Featherston, Garber, Helmer, Highberger, Houser, Jacobs, Kuether, Lee-Hahn, Ousley, Parker, Rhiley, Ruiz, S., Vaughn, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed, as amended.

HB 2165, AN ACT concerning motor vehicles; relating to antique vehicles; providing that all vehicles that are more than 35 years old qualify as antique vehicles for registration purposes; eliminating references to street rod vehicles; amending K.S.A. 8-194, 8-195 and 8-196 and K.S.A. 2020 Supp. 8-166 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 9; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, F. Patton, Penn, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Vaughn, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Coleman, Featherston, Helmer, Parker, Poetter, Poskin, Ruiz, S., Turner, Waggoner.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed, as amended.

HB 2074, AN ACT concerning insurance; relating to producer licensing requirements; agent conduct; pertaining to examinations; fees; renewal dates; suspension, revocation or denial of licensure; licensure renewal; amending K.S.A. 2020 Supp. 40-241, 40-4902, 40-4903, 40-4905, 40-4909, 40-4912, 40-4915, 40-5505 and 40-5512 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

HB 2001, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; creating the crime of sexual extortion; requiring registration of offenders; amending K.S.A. 2020 Supp. 22-4902 and 22-4906 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed, as amended.

HB 2120, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; sexual battery; removing spousal exception; amending K.S.A. 2020 Supp. 21-5505 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 13; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoye, Humphries, Jennings, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Blex, Burris, Esau, Garber, Houser, Huebert, Jacobs, T. Johnson, Lee-Hahn, Poetter, Rhiley, Samsel, Waggoner.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2120**. While I abhor abuse, especially when perpetuated within the sacred bounds of marriage, we have laws that address spousal abuse. In addition, I had less than 24 hours to study this bill as I do not sit on the committee where it was heard and only learned it was up 20 hours ago. I might have been a yes if given an additional 24 hours to consider the ramifications of this change in statute but with a non-emergency EFA action that option was not provided. – CHARLOTTE ESAU

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2155** be passed.

Committee on **Education** recommends **HB 2085**, **HB 2124** be passed.

Committee on **Education** recommends **HB 2039** be reported without recommendation.

REPORT OF STANDING COMMITTEE

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

Request No. 5, by Representative Broderick Henderson, congratulating Rose Marie Johnson in honor of her 94th birthday.

Request No. 6, by Representative Joe Seiwart, congratulating Kansas Electric Cooperatives, Inc. on their 80th Anniversary celebrating the electric co-op's commitment to powering homes, businesses, and dreams.

Request No. 7, by Representative Ponka We Victors, commending Martin Garcia for her dedication, volunteer work and commitment to our community.

Request No. 8, by Representative Ponka We Victors, commending Sarah Lopez for making history as the first Latina to be elected to the Sedgwick County Commission.

Request No. 9, by Representative Ponka We Victors, Honoring Denise Romero for her dedication and commitment to our community.

Request No. 10, by Representative Ponka We Victors, Honoring Renee Carrion for her dedication and commitment to our community.

Request No. 11, by Representative Pat Proctor, Honoring Olivia Pratt for the the first American Heritage girl in Troop KS0167 and only sixth in the State of Kansas to be awarded the Starts and Stripes Award.

Request No. 12, by Representative Brandon Woodard, honoring Matilde Evans on celebrating her 100th birthday.

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.

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 2360, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; removing recklessly causing fear or evacuation, lock down or disruption in regular, ongoing activities from the crime of criminal threat; amending K.S.A. 2020 Supp. 21-5415 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2361, AN ACT concerning courts; relating to specialty courts; authorizing the supreme court to adopt rules related thereto; establishing the specialty court funding advisory committee and the specialty court resources fund; amending K.S.A. 2020 Supp. 21-6604 and 21-6614 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2362, AN ACT concerning crimes, punishment and criminal procedure; relating to abuse of a child; modifying the elements of the offense; increasing criminal penalties thereof; amending K.S.A. 2020 Supp. 21-5602 and repealing the existing section, by Committee on Judiciary.

HB 2363, AN ACT concerning the board of indigents' defense services; relating to appointed counsel; authorizing the rate paid to appointed counsel to be higher than \$80 per hour; amending K.S.A. 22-4507 and repealing the existing section, by Committee on Judiciary.

HB 2364, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against public morals; cruelty to animals; adding a definition of torturing; amending K.S.A. 2020 Supp. 21-6412 and repealing the existing section, by Committee on Judiciary.

HB 2365, AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; providing immunity from prosecution for seeking medical assistance, by Committee on Judiciary.

HB 2366, AN ACT concerning crimes, punishment and criminal procedure; relating to jailhouse witness testimony; requiring prosecutors to disclose their intent to introduce testimony from a jailhouse witness and to forward related information to the Kansas bureau of investigation, by Committee on Judiciary.

HB 2367, AN ACT concerning the state corporation commission; relating to public utilities; authorizing regulation of certain wire stringing activities; amending K.S.A. 66-104 and repealing the existing section, by Committee on Energy, Utilities and Telecommunications.

HB 2368, AN ACT concerning insurance; relating to motor vehicle liability insurance; increasing the minimum policy limit for bodily injury; amending K.S.A. 2020 Supp. 40-3107 and repealing the existing section, by Committee on Insurance and Pensions.

HB 2369, AN ACT concerning the Kansas closed case task force; relating to expiration of the task force; extending the task force and providing for staff assistance; amending K.S.A. 2020 Supp. 21-6901 and repealing the existing section, by Committee on Judiciary.

HB 2370, AN ACT concerning occupational licensure; relating to criminal convictions; prohibiting a conviction from disqualifying a person for licensure; amending K.S.A. 74-120 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Finch announced the appointment of Rep. Jacobs to replace Rep. Huebert on Committee on K-12 Education Budget Committee on February 11, 2021.

Also, the appointment of Rep. Sawyer to replace Rep. Victors on Committee on Transportation and Public Safety Budget on February 11, 2021.

Also, the appointment of Rep. Poskin to replace Rep. Victors on Committee on Transportation on February 11, 2021.

REPORT ON ENGROSSED BILLS

HB 2014, HB 2063, HB 2064, HB 2081 reported correctly engrossed February 10, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 8:30 a.m. on Friday, February 12, 2021.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

