

Journal of the House

THIRTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 23, 2021, 11:00 a.m.

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

The roll was called with 122 members present.
Reps. Howard and Winn were excused on verified illness.
Rep. Victors was excused on legislative business.

Prayer by Chaplain Brubaker,

Our Heavenly Father
Through the Psalmist You have encouraged us
to seek You – to seek Your face.
If we do so, we can be confident that
we will see the goodness of the Lord.
In these unprecedented discouraging and disruptive times,
I am sure it has been especially frustrating for our leaders
to have to work on such serious issues
without being able to sit across from each other
and have face-to-face conversations.
To have to do most work virtually can be exasperating
and perhaps somewhat unsatisfying.
Please continue to give our leaders the strength,
determination and encouragement to work
within the unusual circumstances and be able
to resolve the differences to come to decisions.
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Miller.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2415, AN ACT concerning the state fire marshal; relating to law enforcement powers thereof; fire equipment standards; requiring investigation of fire deaths; amending K.S.A. 31-158 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2416, AN ACT concerning governmental response to certain emergencies; relating to the Kansas emergency management act; modifying the procedure for the declaration and extension of a state of disaster emergency; limiting powers granted to

the governor during a state of disaster emergency; authorizing the legislative coordinating council and the legislature to take certain actions related to a state of disaster emergency; prohibiting the governor or the state board of education from closing private schools during a state of disaster emergency; amending K.S.A. 46-1202 and K.S.A. 2019 Supp. 48-925, as amended by section 4 of 2021 Senate Bill No. 14, and K.S.A. 2020 Supp. 48-924, as amended by section 2 of 2021 Senate Bill No. 14, and 48-925b and repealing the existing sections; also repealing K.S.A. 2019 Supp. 48-925, as amended by section 5 of 2021 Senate Bill No. 14, by Committee on Federal and State Affairs.

HB 2417, AN ACT concerning alcoholic beverages; relating to retailers, clubs and drinking establishments; allowing the removal of beer and cereal malt beverage from licensed premises; amending K.S.A. 2020 Supp. 41-308 and 41-2653, as amended by section 1 of 2021 Senate Bill No. 14, and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2418, AN ACT concerning property taxation; relating to time for payments; persons 65 years of age and older; amending K.S.A. 79-2004 and 79-2004a and repealing the existing sections, by Committee on Taxation.

HB 2419, AN ACT concerning the Kansas board of barbering; relating to licensure and regulation of barbers; fees; amending K.S.A. 65-1808, 65-1809, 65-1810, 65-1812, 65-1813, 65-1814, 65-1815, 65-1816, 65-1817, 65-1818, 65-1819, 65-1820a, 65-1821, 65-1822, 65-1824, 65-1825a, 65-1826, 65-1827, 65-1831, 65-1835, 74-1805a, 74-1806 and 74-1807 and repealing the existing sections; also repealing K.S.A. 65-1828, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Children and Seniors: **SB 85**.

Federal and State Affairs: **HB 2406, HB 2407, HB 2408, HB 2409, HB 2410**.

Judiciary: **HB 2412**.

K-12 Education Budget: **HB 2411**.

Local Government: **SB 52**.

Taxation: **HB 2413, HB 2414, SB 49**.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2119** from Calendar and referral to Committee on K-12 Education Budget.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2191, HB 2237, SB 27** be passed.

On motion of Rep. Barker, **HB 2262** be amended on page 2, in line 13, after "(a)" by inserting "(1)"; in line 22, by striking "and as a part of" and the bill be passed as amended.

Committee report to **HB 2254** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 39** be passed.

Committee on **Agriculture** recommends **SB 40**, as amended by Senate Committee of the Whole, be passed.

Committee on **Children and Seniors** recommends **HB 2345** be amended on page 1, in line 11, by striking all after "families"; by striking all in lines 12 and 13; in line 14, by striking "administration"; also in line 14, after "care" by inserting "as provided in K.S.A. 2020 Supp. 38-2201 et seq., and amendments thereto"; in line 26, by striking all after the second "and"; in line 27, by striking "administration" and inserting "juvenile courts"; in line 32, after the second "and" by inserting "the chief justice of the supreme court,"; in line 34, by striking the first "and" and inserting "or";

On page 2, in line 11, by striking "or" and inserting a comma; in line 12, after "welfare" by inserting "or any relevant joint committee"; in line 28, after "welfare" by inserting ", any relevant joint committee"; in line 35, after "(2)" by inserting "Such reports shall not include names or personally identifiable information of children, guardians or families in complaints.

(3)";

Also on page 2, in line 37, after "welfare" by inserting "or any relevant joint committee"; in line 39, by striking "4" and inserting "3";

On page 3, in line 6, by striking all after "(3)"; by striking all in lines 7 and 8; in line 9, by striking all before the semicolon and inserting "compile, collect and preserve a record of complaints received and processed that may reveal concerning patterns to be addressed"; in line 13, by striking all before the semicolon; in line 14, after "(5)" by inserting "receive and exchange records as provided in K.S.A. 2020 Supp. 38-2201 et seq. and 38-2301 et seq., and amendments thereto, to"; in line 15, by striking "subsections" and inserting "subsection"; in line 16, by striking all before the semicolon; in line 26, by striking the second "the"; in line 27, by striking all before the comma and inserting "juvenile courts"; in line 33, by striking all after "Access"; by striking all in lines 34 through 40; in line 41, by striking all before the semicolon and inserting "records as provided in K.S.A. 2020 Supp. 38-2201 et seq. and 38-2301 et seq., and amendments thereto, related to complaints received;

(2) access all written reports of child abuse and neglect maintained by the secretary for children and families related to complaints received";

Also on page 3, in line 43, after "providers" by inserting a comma;

On page 4, in line 3, by striking "the office of judicial administration" and inserting "juvenile courts"; by striking all in lines 6 through 10; in line 17, after "offender," by inserting "child in need of care,"; in line 25, by striking "office of judicial administration" and inserting "juvenile courts"; in line 31, by striking "and"; in line 34, after "appropriate" by inserting "; and

(11) conduct an independent review of any policy, procedure or practice that is the subject of a complaint submitted as provided in this section.

(c) (1) Any duty or action of the child advocate provided in sections 1 through 5, and amendments thereto, shall be independent of the judicial and executive branches of government.

(2) Nothing in this section shall create a just cause for delay of court proceedings or excuse any court, county attorney or district attorney, guardian ad litem or other agency from their duties in proceedings related to a child.

(3) No review of any complaint shall require any licensed professional to engage or not engage in conduct required or prohibited by any governing professional code of responsibility or conduct";

Also on page 4, in line 35, by striking all after "(a)"; by striking all in line 36; in line 37, by striking all before the second "shall" and inserting "Annual reports submitted as provided in section 1, and amendments thereto,";

On page 5, in line 6, by striking "38-2209 through K.S.A. 38-2213" and inserting "2020 Supp. 38-2201 et seq. and 38-2301 et seq.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 5, in line 22, by striking all after the second "and"; in line 23, by striking "administration" and inserting "juvenile courts"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2252** be amended on page 1, in line 9, by striking "\$100" and inserting "\$50"; in line 10, by striking all after "for"; in line 11, by striking all before "involved" and inserting "each location that is"; in line 12, after "date" by inserting "specified on"; also in line 12, by striking all after the second "license"; in line 13, by striking "director"; in line 22, by striking the colon; by striking all in lines 23 and 24; in line 25, by striking "(2)"; also in line 25, by striking "other";

On page 2, in line 2, by striking "and special order shipping licensee";

On page 4, in line 1, by striking "all locations and facilities" and inserting "any location or facility"; and the bill be passed as amended.

Committee on **Insurance and Pensions** recommends **SB 29**, as amended by Senate Committee, be amended on page 2, in line 31, by striking "Kansas register" and inserting "statute book"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Finch announced the appointment of Rep. Burris to replace Rep. Mason on Committee on Commerce, Labor and Economic Development on February 23, 2021.

Also, the appointment of Rep. Wolfe Moore to replace Rep. Winn on Committee on K-12 Education Budget on February 23, 2021.

Also, the appointment of Rep. Sawyer to replace Rep. Wolfe Moore on Committee on General Government Budget on February 23, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Wednesday, February 24, 2021.

JENNY HAUGH, JULIA WERNER, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*