

# Journal of the House

FIFTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, April 6, 2021, 9:00 a.m.

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

The roll was called with 117 members present.

Rep. Howard was excused on verified illness.

Reps. Arnberger, Burris, Finney, Hawkins, Huebert, Ohaebosim and Thompson were excused on excused absence by the Speaker.

Present later: Rep. Arnberger, Burris, Huebert and Ohaebosim.

Excused later: Reps. Poetter, Samsel and E. Smith.

Prayer by Chaplain Brubaker:

Gracious and Loving God,  
thank You for the blessings that You give to us each day.

Your Word teaches us that

“in repentance and rest is *our* salvation,  
in quietness and trust in *our* strength.”

As we go through this day,  
help us to trust You to provide  
the strength we need moment by moment.

May we not waste energy wondering if  
we are adequate to manage this day’s responsibilities,  
but remind us that Your Spirit is more than sufficient  
to handle whatever this day may bring.

This I pray in Your Name, Amen.

(Isaiah 30:15 – NIV)

The Pledge of Allegiance was led by Rep. Jennings.

## MESSAGES FROM THE GOVERNOR

April 1, 2021

*Messages to the Kansas House of Representatives:*

Enclosed herewith are Executive Orders No. 21-09 – 21-21 for your information.

### EXECUTIVE ORDERS NO. 21-09 – 21-21

21-09 Extending professional and occupational licenses during state of disaster emergency

21-10 Temporarily allowing notaries and witnesses to act via audio-video communication technology during state of disaster emergency

- 21-11 Temporarily suspending certain rules relating to sale of alcoholic beverages
- 21-12 Licensure, Certification, and Registration for persons and Licensure of “Adult Care Homes” during state of disaster emergency
- 21-13 Temporarily prohibiting certain foreclosures and evictions
- 21-14 Establishing a face coverings protocol
- 21-15 Requiring COVID-19 testing in certain adult care homes
- 21-16 Provisions related to drivers' license and identification cards during the state of disaster emergency
- 21-17 Temporary relief from certain unemployment insurance requirements during state of disaster emergency
- 21-18 Temporary provisions for employer payment of income tax withholding for work performed in another state
- 21-19 Temporary relief from certain tuberculin testing requirements during state of disaster emergency
- 21-20 Extending time for Kansas rural water districts to hold annual meetings during the COVID-19 pandemic
- 21-21 Temporary authorization for additional vaccinators during state of disaster emergency

Laura Kelly  
Governor

**HB 2063** approved on April 2, 2021.

#### MESSAGES FROM THE SENATE

- Announcing passage of **Sub SB 100, SB 265, SB 304**.
- Announcing passage of **HB 2064**, as amended, **HB 2077**, as amended, **HB 2079**, as amended, **HB 2106**, as amended, **HB 2114**, as amended, **HB 2121**, as amended, **HB 2136**, as amended, **HB 2158**, as amended, **HB 2244**, as amended, **HB 2247**, as amended, **HB 2390**, as amended, **HB 2391**, as amended.
- Announcing passage of **HB 2085, HB 2101, HB 2379**.
- Announcing passage of **Sub HB 2196**, as amended by **S Sub for Sub HB 2196; HB 2201**, as amended by **S Sub HB 2201; HB 2208**, as amended by **S Sub HB 2208**.
- The Senate concurs in House amendments to **SB 283**.
- Announcing passage of **SB 181**.
- The Senate concurs in House amendments to **SB 124**.
- The Senate adopts the Conference Committee report on **HB 2104**.
- The Senate announced the appointment of Senator Billinger to replace Senator Petersen as a conferee on **HB 2007**.
- Announcing adoption of **HCR 5019**.
- Announcing passage of **HB 2021**, as amended, **HB 2039**, as amended, **HB 2143**, as amended, **HB 2245**, as amended, **HB 2332**, as amended.
- Announcing passage of **HB 2074**, as amended by **S Sub HB 2074; HB 2153**, as amended by **S Sub HB 2153; HB 2183**, as amended by **S Sub HB 2183**.
- Announcing passage of **SB 199**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 60**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 106**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **H Sub for Sub SB 273**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **H Sub SB 78**.

Speaker Ryckman thereupon appointed Reps. S. Johnson, Croft and Neighbor as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 122**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 127**.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgerson as conferees on the part of the House.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

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

**SB 100, SB 181, SB 199, SB 265, SB 304.**

**CONSENT CALENDAR**

No objection was made to **SB 16** 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**

**SB 16**, 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 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcalá, Amyx, Anderson, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, 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, Esau, Estes, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, 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, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Arnberger, Burris, Finney, Hawkins, Howard, Huebert, Ohaebosim, Thompson.

The bill passed.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Croft, the House nonconcurrred in Senate amendments to **HB 2134** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. S. Johnson, Croft and Neighbor as conferees on the part of the House.

On motion of Rep. S. Johnson, the House nonconcurrred in Senate amendments to **HB 2218** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. S. Johnson, Croft and Neighbor as conferees on the part of the House.

#### **CHANGE OF CONFEREES**

Speaker Ryckman announced the appointment of Reps. Waymaster, Hoffman, and Wolfe Moore to replace Reps. Proehl, Delperdang, and Helgerson as members of the conference committee on **HB 2007**.

#### **CHANGE OF REFERENCE**

Speaker Ryckman announced the withdrawal of **SB 91** from Committee on Appropriations and re-referral to Committee of the Whole.

Speaker Ryckman announced the withdrawal of **SB 158** from Committee of the Whole and re-referral to Committee on Federal and State Affairs.

On motion of Rep. Mason, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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

**MESSAGE FROM THE GOVERNOR**

**HB 2014, HB 2172, HB 2270** approved on April 5, 2021.

**MESSAGES FROM THE SENATE**

The Senate nonconcur in House amendments to **SB 38**, requests a conference and has appointed Senators Kerschen, Straub and Ware as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 142**, requests a conference and has appointed Senators Kerschen, Straub and Ware as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 143**, requests a conference and has appointed Senators Kerschen, Straub and Ware as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 160**, requests a conference and has appointed Senators Kerschen, Straub and Ware as conferees on the part of the Senate.

**CHANGE OF CONFEREES**

Speaker Ryckman announced the appointment of Reps. Williams, Hoffman, and Winn to replace Reps. Landwehr, Eplee, and Parker as members of the conference committee on **SB 175**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 38**.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 55**.

Speaker Ryckman thereupon appointed Reps. Williams, Huebert and Stogsdill as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 142**.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 143**.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 160**.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. F. Patton, the House nonconcurred in Senate amendments to **HB 2390** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. F. Patton, the House nonconcurred in Senate amendments to **HB 2079** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Jennings, the House nonconcurred in Senate amendments to **HB 2077** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Jennings, Owens and Highberger as conferees on the part of the House.

On motion of Rep. Jennings, the House nonconcurred in Senate amendments to **HB 2121** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Jennings, Owens and Highberger as conferees on the part of the House.

On motion of Rep. Tarwater, the House nonconcurred in Senate amendments to **HB 2391** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Tarwater, Long and Clayton as conferees on the part of the House.

On motion of Rep. Tarwater, the House nonconcurred in Senate amendments to **HB 2196** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Tarwater, Long and Clayton as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **S Sub HB 2201** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgeson as conferees on the part of the House.

On motion of Rep. Landwehr, the House nonconcurred in Senate amendments to **S Sub HB 2208** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Landwehr, Eplee and Parker as conferees on the part of the House.

On motion of Rep. Huebert, the House nonconcurred in Senate amendments to **HB 2039** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Huebert, Thomas and Stogsdill as conferees on the part of the House.

**MOTION TO CONCUR AND NONCONCUR**

On motion of Rep. Patton, the House concurred in Senate amendments to **HB 2071**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; increasing criminal penalties for stalking a minor; amending K.S.A. 2020 Supp. 21-5427 and repealing the existing section.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

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, 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, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Stogsdill, Sutton, Tarwater, Thomas, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Hawkins, Howard, Poetter, Samsel, Smith, E., Thompson.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2104** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 22 through 36;

On page 2, by striking all in lines 1 through 18; following line 37, by inserting:

"Sec. 2. K.S.A. 2020 Supp. 19-430 is hereby amended to read as follows: 19-430. (a) On July 1, 1993, and on July 1 of each fourth year thereafter, the board of county commissioners or governing body of any unified government of each county shall by resolution appoint a county appraiser for such county who shall serve for a term of four years expiring on June 30 of the fourth year thereafter. No person shall be appointed or reappointed to or serve as county appraiser in any county under the provisions of this act unless such person shall have at least three years of mass appraisal experience and be qualified by the director of property valuation as an eligible Kansas appraiser under the provisions of this act. Whenever a vacancy shall occur in the office of county appraiser the board of county commissioners or governing body of any unified government shall appoint an eligible Kansas appraiser to fill such vacancy for the unexpired term. The person holding the office of county or district appraiser or performing the duties thereof on the effective date of this act shall continue to hold such

office and perform such duties until a county appraiser is appointed under the provisions of this act. No person shall be appointed to the office of county or district appraiser or to fill a vacancy therein unless such person is currently: (1) A certified general real property appraiser pursuant to article 41 of chapter 58 of the Kansas Statutes Annotated, and amendments thereto; or (2) a registered mass appraiser pursuant to rules and regulations adopted by the secretary of revenue; ~~or (3) holding a valid residential evaluation specialist or certified assessment evaluation designation from the international association of assessing officers.~~ Notwithstanding the foregoing provision, the board of county commissioners or governing body of any unified government may appoint an interim county appraiser, subject to the approval of the director of property valuation, for a period not to exceed six months to fill a vacancy in the office of county appraiser pending the appointment of an eligible county appraiser under the provisions of this act.

(b) The secretary of revenue shall adopt rules and regulations ~~prior to October 1, 1997,~~ necessary to establish qualifications for the designation of a registered mass appraiser.

(c) On and after July 1, 2022, all appraisal courses necessary to qualify for the designation of a registered mass appraiser and all continuing education appraisal courses necessary to retain such designation shall be courses approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto."

On page 3, in line 12, by striking "recognized"; also in line 12, after "courses" by inserting "approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto,";

On page 8, in line 2, after the period by inserting "Such courses shall be courses approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto.";

On page 22, in line 5, by striking "79-201x,"; in line 7, after "Supp." by inserting "19-430 and"; also in line 7, by striking all after "19-432"; in line 8, by striking "5142";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "to"; by striking all in lines 2 and 3; in line 12, after the semicolon by inserting "appraisal course requirements required to be approved by the real estate appraisal board;"; in line 15, after "office" by inserting ", qualifications and appraisal courses for registered mass appraiser designation"; in line 16, by striking "79-201x,"; in line 18, after "Supp." by inserting "19-430 and"; also in line 18, by striking "and 72-5142";

And your committee on conference recommends the adoption of this report.

CARYN TYSON  
LARRY ALLEY  
TOM HOLLAND

*Conferees on part of Senate*

ADAM SMITH  
LES MASON  
JIM GARTNER

*Conferees on part of House*

On motion of Rep. A. Smith to adopt the conference committee report on **S Sub HB 2104**, Rep. Miller offered a substitute motion to not adopt the conference committee



report and that a new conference committee be appointed.

The substitute motion of Rep. Miller did not prevail and the question reverted back to the original motion of Rep. A. Smith to adopt the conference committee report.

On motion of Rep. Smith, A., the conference committee report on **HB 2104** was adopted.

On roll call, the vote was: Yeas 77; Nays 42; Present but not voting: 0; Absent or not voting: 6.

Yeas: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clark, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Minnix, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Hawkins, Howard, Poetter, Samsel, Smith, E., Thompson.

#### **REPORT ON ENGROSSED BILLS**

**Sub HB 2119, Sub HB 2397** reported correctly engrossed April 1, 2021.

#### **REPORT ON ENROLLED BILLS**

**HB 2022, HB 2050, HB 2070, S Sub HB 2072, HB 2112, HB 2126, HB 2145, HB 2155, HB 2162, HB 2214, HB 2298, HB 2367** reported correctly enrolled, properly signed and presented to the Governor on April 2, 2021.

On motion of Rep. Mason, the House adjourned until 10:00 a.m., Wednesday, April 7, 2021.

JENNY HAUGH, JULIA WERNER, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

