

Journal of the House

FORTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 16, 2023, 11:00 a.m.

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

The roll was called with 122 members present.
Reps. Carmichael and Poetter Parshall were excused on verified illness.
Rep. Boyd was excused on excused absence by the Speaker.
Excused later: Rep. Carlin.

Prayer by guest chaplain, Pastor Casey Borger, Trinity Baptist Church, Arkansas City and guest of Rep. Rhiley.

Our Father which art in Heaven,
Hallowed be thy name.
Thy kingdom come.
Thy will be done.

In earth as it is in heaven.
Give us this day our daily bread.
And forgive us our debts.
As we forgive our debtors.

And lead us not into temptation,
But deliver us from the evil one:
Guide us this day to love one another,

And serve our fellow citizens to the best of our abilities.
For thine is the kingdom, and the power, and the glory, forever. Amen

The Pledge of Allegiance was led by Rep. Laura Williams.

INTRODUCTION OF GUESTS

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

Today is Kansas Organ, Eye and Tissue Education & Awareness Day here at the Capitol!

- More than 100,000 people are waiting for lifesaving organ transplants.
- Every 9 minutes another person is added to the national transplant waiting list.
- 17 people die each day while waiting for an organ transplant.

You have the power to help:

- Organs, eye, and tissue donations from one person can save up to 8 lives.
- In 2021, nearly 20,400 donors brought new life to recipients and their families.
- 880,000 transplants have taken place since 1988.
- You can register to be a donor at the National Donate Life Registry.

The following organizations, as well as some organ transplant recipients and their families are at the Capitol today providing education and raising awareness:

- Midwest Transplant Network
- National Kidney Foundation of Kansas, Oklahoma, and Western Missouri
- Saving Sight
- University of Kansas Health System
- Team Mo-Kan (transplant athletes)
- Gift of Life
- Fresenius Medical Care
- KS Dept of Revenue

Please take some time today before 2:30 to find their education exhibits and have your blood pressure checked in the South wing of the Rotunda on the 1st floor and join me in recognizing these organizations for the work they do every day to save lives.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2460, AN ACT concerning post-secondary educational institutions; prohibiting such institutions from certain actions concerning diversity, equity, inclusion or patriotism, exceptions; providing for civil remedies and penalties, by Committee on Appropriations.

HB 2461, AN ACT concerning the issuance of certain bonds; relating to the construction and equipment of the NIAR technology and innovation building on the innovation campus of Wichita state university; providing for the powers, duties and functions of the Kansas development finance authority and Wichita state university, by Committee on Appropriations.

HB 2462, AN ACT concerning the issuance of certain bonds; relating to the construction and renovation of the department of nursing and student wellness center on the campus of Emporia state university; providing for the powers, duties and functions of the Kansas development finance authority and Emporia state university, by Committee on Appropriations.

HB 2463, AN ACT concerning the issuance of certain bonds; relating to the renovation and equipment of the university stadium on the campus of Wichita state university; providing for the powers, duties and functions of the Kansas development finance authority and Wichita state university, by Committee on Appropriations.

HB 2464, AN ACT concerning higher education; relating to state scholarships; increasing the dollar amount of state scholarships for students who have established financial need; amending K.S.A. 74-32,233 and 74-32,235 and repealing the existing sections, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committees as indicated:

Water: **HB 2459**.

MESSAGES FROM THE SENATE

Announcing passage of **SB 127**.

Announcing passage of **HB 2014**, as amended.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 127.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Schreiber, **HR 6016**, by Reps. Patton, Carmichael and Schreiber, as follows, was introduced and adopted:

HOUSE RESOLUTION NO. **HR 6016**—A RESOLUTION recognizing March 18, 2023, as Kansas Public Defender Day.

By Representatives Patton, Carmichael and Schreiber

A RESOLUTION recognizing March 18, 2023, as Kansas Public Defender Day.

WHEREAS, March 18, 2023, is the 60th Anniversary of the landmark United States Supreme Court case *Gideon v. Wainwright*, which established the right of all people in the United States to competent criminal defense counsel, including those who cannot afford an attorney; and

WHEREAS, The right to competent criminal defense counsel is a fundamental right enshrined in the Sixth Amendment of the Constitution of the United States and Section 10 of the Kansas Bill of Rights; and

WHEREAS, Kansans have recognized this important right in their state statutes since 1868; and

WHEREAS, The State of Kansas opened the first public defender offices in the state in 1972; and

WHEREAS, The Kansas public defender agency, also known as the State Board of Indigents' Defense Services, was established in 1982; and

WHEREAS, The employees of the State Board of Indigents' Defense Services and the assigned private counsel are tasked with fulfilling the constitutional promise of a zealous defense and guarding the constitutional rights of every person in Kansas facing felony criminal charges who cannot afford an attorney; and

WHEREAS, The employees of the State Board of Indigents' Defense Services and the assigned private counsel are essential to achieving a fair and equal justice system; and

WHEREAS, 85% of all Kansans facing felony criminal charges in Kansas are indigent and cannot pay for an attorney: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize March 18, 2023, as Kansas Public Defender Day; and

Be it further resolved: That we acknowledge the work being done by the employees

of the public defender agency and the assigned private counsel in safeguarding fundamental constitutional rights in Kansas; and

Be it further resolved: That we recognize the importance of the right held by all people in the United States, including those in poverty, to competent criminal defense counsel; and

Be it further resolved: That we commend the continuing mission of the State Board of Indigents' Defense Services to provide zealous advocacy for all who are indigent and accused; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Patton.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Patton and Schreiber are spread upon the Journal:

Thank you, Mr. Speaker. In 1963, the United States Supreme Court ruled unanimously in favor of Clarence Earl Gideon in his case which claimed his Sixth Amendment right to legal counsel was violated when a judge refused to appoint him an attorney and he had to represent himself in court. This decision by the Supreme Court guarantees the right to legal counsel for criminal defendants in federal and state courts.

House Resolution HR 6016 recognizes the 60th anniversary of the Gideon case and declares March 18, 2023 to be Kansas Public Defender Day. Not only do we call attention to this important court decision, but we also acknowledge the service of our hardworking public defenders and public defense employees who play a vital role in our criminal justice system as they provide this constitutional right.

Today, we are honored to be able to recognize some of those who work in public defense. With us today are:

- **Michelle Ewert**, Board Member, Board of Indigents' Defense Services
- **Heather Cessna**, Executive Director, Board of Indigents' Defense Services
- **Jessica Glendening**, Chief Public Defender of the Third Judicial District (Shawnee County)
- **Jonathon Noble**, Chief Public Defender of the Northeast Kansas Conflicts Public Defender Office
- **Kim Mason**, Assistant Director Chief Fiscal Officer, Board of Indigents' Defense Services
- **Brandon Barrett**, Assistant Director General Counsel, Board of Indigents' Defense Services
- **Ann Sagan**, Director of Special Projects, Board of Indigents' Defense Services

Please join us in thanking them for their service to our state!

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Mason, **HR 6013**, A RESOLUTION strengthening the sister-state ties between the State of Kansas and Taiwan, was adopted.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Mason and Hawkins are spread upon the Journal:

Colleagues, this morning we will vote on the adoption of HR 6013, “Strengthening the sister-state ties between the State of Kansas and Taiwan.” This year marks the 34th anniversary of Kansas’ close relationship with Taiwan.

Taiwan ranks as Kansas’ 10th largest export customer in the global market, and at the same time, Taiwan ranks as Kansas’ 3rd largest import country. The goods Kansas exports to Taiwan include processed food products, agricultural products, computer & electronic products, leather and allied products, and many more.

According to 2022 data, Taiwan contributes over 26,000 jobs in Kansas. Taiwan-affiliated companies located in Kansas include GARMIN, Hyper Tech Computers, and Sun Marble Company. Taiwan shares our values of a robust democracy, individual liberty, the rule of law, and human rights.

And, Taiwan is a trusted friend. Early in the 2020 pandemic, Taiwan donated 100,000 surgical masks and 10,000 N95 masks to the State of Kansas for frontline workers.

Joining us at the well, from the Taipei Economic and Cultural Office in Denver, are Director General Bill Huang; Deputy Division Director Leanne Kao; Consular Officer Natalia Wang.

Immediately following the adoption of this resolution, there is a reception in their honor, on the 2nd floor rotunda. You are all invited. Don’t all leave at once...but, please, join us in welcoming our friends to the Capitol.

CONSENT CALENDAR

No objection was made to **SB 24** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2421** 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 2421, AN ACT concerning sales and compensating use tax; relating to city and countywide retailers’ sales tax; providing countywide retailers’ sales tax authority for Grant county; amending K.S.A. 12-187 and 12-189 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, 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., Donohoe, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Houser, Howe, Howell, Howerton, Hoyer, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor,

Ohaebosim, Oropeza, Osman, Ousley, Owens, F. Patton, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Sawyer 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: Boyd, Carmichael, Poetter Parshall.

The bill passed.

HB 2225, AN ACT concerning utilities; relating to electric utilities; including cost recovery of transmission-related costs for transmission facilities constructed as a result of a directive from the regional transmission organization; authorizing cost recovery for transmission facilities constructed as a result of internal or local planning under certain circumstances; requiring the commission to adjust the authorized return on equity for such internal or local transmission projects recovered through a transmission delivery charge; requiring public utilities to evaluate the regional rate competitiveness and impact to economic development in rate proceedings; amending K.S.A. 66-117 and 66-1237 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 1; Present but not voting: 1; Absent or not voting: 3.

Yeas: Alcalá, 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., Donohoe, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, Melton, Meyer, Miller, D., Miller, S., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, F. Patton, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Sawyer 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: Houser.

Present but not voting: Miller, V.

Absent or not voting: Boyd, Carmichael, Poetter Parshall.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER – I vote PRESENT on **HB 2225**. While offering no opinion regarding the legislation, I currently hold common stock in EVERGY, Inc. Consequently, voting on this measure represents a direct conflict of interest. I encourage others in similar situation to do likewise. – VIC MILLER

HB 2331, AN ACT concerning wildlife and parks; relating to state parks; designating Lehigh Portland state park; amending K.S.A. 32-837 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 21; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Ballard, Bergquist, Blex, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Droge, Eplee, Essex, Estes, Featherston, Francis, Gardner, Goddard, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hoheisel, Hougland, Houser, Howe, Howell, Hoye, T. Johnson, Kessler, Lewis, Martinez, Maughan, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, F. Patton, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Sawyer Clayton, Schlingensiepen, Schmoë, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Vaughn, Waggoner, Waymaster, Weigel, White, Williams, K., Williams, L., Winn, Woodard, Xu, Younger.

Nays: Averkamp, Barth, Bergkamp, Blew, Bloom, Corbet, Ellis, Fairchild, Garber, Goetz, Hill, Hoffman, Howerton, Humphries, Jacobs, Landwehr, Mason, Rhiley, Turner, Underhill, Wasinger.

Present but not voting: None.

Absent or not voting: Boyd, Carmichael, Poetter Parshall.

The bill passed.

HB 2400, AN ACT concerning workforce development; enacting the Kansas adult learner grant act; establishing a grant program for adult learners to pursue certain fields of study; providing for workforce retention incentive tax credits; creating the Kansas adult learner grant program fund, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 6; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, 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., Donohoe, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hoffman, Hoheisel, Hougland, Houser, Howe, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, F. Patton, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Sawyer Clayton, Schlingensiepen, Schmoë, 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: Averkamp, Garber, Gardner, Hill, Jacobs, Rhiley.

Present but not voting: None.

Absent or not voting: Boyd, Carmichael, Poetter Parshall.

The bill passed, as amended.

HB 2422, AN ACT concerning the state fire marshal; eliminating the statutory qualifications of the chief inspector for boiler safety; amending K.S.A. 44-918 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, 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, Delpendang, Dodson, M., Donohoe, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Houser, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, F. Patton, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Sawyer Clayton, Schlingensiepen, Schmoie, 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: Rhiley.

Present but not voting: None.

Absent or not voting: Boyd, Carmichael, Poetter Parshall.

The bill passed.

H Sub for SB 229, AN ACT concerning the legislature; relating to compensation, salary and retirement benefits of members thereof; creating the legislative compensation commission; prescribing powers and duties of the commission; authorizing the commission to set rates of compensation and salary for members of the legislature; establishing procedures for review and possible rejection of such rates of compensation and salary by the legislature; eliminating the previously established compensation commission; repealing K.S.A. 46-3101, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 26; Present but not voting: 0; Absent or not voting: 3.

Yeas: Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Croft, Curtis, Delpendang, Dodson, M., Donohoe, Droge, Eplee, Essex, Estes, Featherston, Francis, Goddard, Goetz, Haswood, Hawkins, Highberger, Hoffman, Hoheisel, Howe, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, Lewis, Martinez, Mason, Maughan, Melton, Miller, D., Miller, S., Miller, V., Minnix, Moser, Neelly, Ohaebosim, Oropeza, Ousley, Owens, F. Patton, Penn, Pickert, Poskin, Rahjes, Resman, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Schlingensiepen, Schmoie, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Wasinger, Waymaster, White, Williams, K., Williams, L., Woodard, Xu, Younger.

Nays: Alcalá, Corbet, Ellis, Fairchild, Garber, Gardner, Haskins, Helgerson, Hill, Hougland, Houser, Jacobs, Landwehr, Meyer, Murphy, Neighbor, Osman, Probst, Proctor, Rhiley, Sawyer Clayton, Seiwert, Thomas, Waggoner, Weigel, Winn.

Present but not voting: None.
 Absent or not voting: Boyd, Carmichael, Poetter Parshall.
 The substitute bill passed.

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

COMMITTEE OF THE WHOLE

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

Recommended that committee report to **SB 14** be adopted; and the bill be passed as amended.

Committee report to **SB 19** be adopted; and the bill be passed as amended.

Committee report to **SB 26** be adopted; and the bill be passed as amended.

Committee report to **HB 2247** be adopted; and the bill be passed as amended.

Committee report to **HB 2388** be adopted.

Also, on motion of Rep. Hoffman, **HB 2388** be amended As Further Amended by House Committee, on page 7, in line 23, by striking "central electronic record system" and inserting "uniform or singular license verification portal"; also in line 23, by striking "maintaining a"; in line 24, by striking all before "credentials" and inserting "verifying or reporting license statuses such as"; in line 31, by striking all after "shall"; in line 32, by striking all before "in" and inserting "be able to integrate with the uniform or singular license verification portal"; in line 35, by striking all after "occurred"; by striking all in lines 36 through 38; in line 39, by striking all before the period; in line 40, by striking "central electronic record system" and inserting "uniform or singular license verification portal"; in line 42, by striking "Such"; in line 43, by striking all before "shall" and inserting "The centralized electronic credential data management systems";

On page 8, in line 2, before "secretary" by inserting "licensing body's respective"; also in line 2, after "secretary" by inserting ", or the secretary's designee,."; in line 4, by striking "Central" and inserting "Centralized"; in line 5, by striking the first "record" and inserting "credential data management"; in line 13, after "process" by inserting "as long as the separate electronic credential system of the licensing body integrates with the uniform or singular license verification portal" and the bill be passed as amended.

Committee report to **HB 2105** 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 2105**, **HB 2247**, **HB 2388**, **SB 14**, **SB 19** and **SB 26** were advanced to Final Action on Bills and Concurrent Resolutions.

SB 14, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2022 Supp. 40-2c01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe,

Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglan, Houser, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, F. Patton, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Sawyer Clayton, Schlingensiepen, Schmoie, 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: Boyd, Carlin, Carmichael, Poetter Parshall.

The bill passed, as amended.

SB 19, AN ACT concerning insurance; relating to premium tax; adjusting the basis upon which certain premium tax calculations are made; requiring such premium taxes to be paid 90 days after each calendar year and basing such premium taxes upon the gross premiums collected for the previous calendar year; amending K.S.A. 12-2624 and 44-588 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglan, Houser, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, F. Patton, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Sawyer Clayton, Schlingensiepen, Schmoie, 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: Boyd, Carlin, Carmichael, Poetter Parshall.

The bill passed, as amended.

SB 26, AN ACT concerning insurance; relating to health maintenance organizations and medicare provider organizations; applications for certificates of authority; specifying certain requirements necessary to demonstrate fiscal soundness; amending K.S.A. 40-3203 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist,

Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglan, Houser, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, F. Patton, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Sawyer 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: Boyd, Carlin, Carmichael, Poetter Parshall.

The bill passed, as amended.

HB 2247, AN ACT concerning financial institutions; relating to bank deposits, withdrawals and safe deposit box lease agreements; authorizing any person to become a depositor or enter into an agreement for the lease of a safe deposit box; providing methods in which bank deposits may be withdrawn by a depositor; prohibiting banks from requiring a cosigner for an account of a child in the custody of the secretary for children and families, the secretary of corrections or a federally recognized Indian tribe; amending K.S.A. 9-1204 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 7; Present but not voting: 0; Absent or not voting: 4.

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

Nays: Fairchild, Goetz, Hoffman, Houser, Jacobs, Landwehr, Waymaster.

Present but not voting: None.

Absent or not voting: Boyd, Carlin, Carmichael, Poetter Parshall.

The bill passed, as amended.

HB 2388, AN ACT concerning occupational regulation; relating to occupational licenses; requiring that licensing bodies provide verified electronic credentials, in addition to paper-based credentials, to all credential holders, including military

servicemembers and others receiving Kansas credentials based on their credentials from other jurisdictions; requiring licensing bodies to use centralized electronic credential data management systems capable of providing instantaneous credential verification; mandating that such systems maintain an auditable record; excepting certification of law enforcement officers from such electronic credential requirements and other provisions; amending K.S.A. 2022 Supp. 48-3406 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Averkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Houser, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, F. Patton, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Sawyer Clayton, Schlingensiepen, Schmoie, 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, Woodward, Xu, Younger.

Nays: None.

Present but not voting: None.

Absent or not voting: Boyd, Carlin, Carmichael, Poetter Parshall.

The bill passed, as amended.

HB 2105, AN ACT concerning earned wage access services; enacting the Kansas earned wage access services act; establishing the administration of such act by the office of the state bank commissioner; providing for registration, bond requirements; duties, prohibited acts, reports, records retention, orders, civil fines, criminal penalties and fees, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 13; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Averkamp, Ballard, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Droge, Ellis, Eplee, Essex, Estes, Featherston, Francis, Gardner, Goddard, Haskins, Haswood, Hawkins, Highberger, Hoffman, Hoheisel, Hougland, Houser, Howe, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Neelly, Neighbor, Ohaebosim, Osman, Ousley, Owens, F. Patton, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Ruiz, L., Sanders, Sawyer, Sawyer Clayton, Schlingensiepen, Schmoie, Schreiber, Smith, A., Smith, C., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Williams, L., Winn, Woodward, Xu, Younger.

Nays: Barth, Fairchild, Garber, Goetz, Helgerson, Hill, Jacobs, Murphy, Oropeza,

Rhiley, Ruiz, S., Seiwert, Smith, E..

Present but not voting: None.

Absent or not voting: Boyd, Carlin, Carmichael, Poetter Parshall.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Child Welfare and Foster Care** recommends **HB 2299** be amended by adoption of the amendments recommended by House Committee on Child Welfare and Foster Care as reported in the Journal of the House on February 21, 2023, and the bill, as printed As Amended by House Committee, be further amended on page 3, in line 34, by striking "(b)"; in line 35, before "is" by inserting "(b)(3)(A) or (b)(3)(B)"; and the bill be passed as further amended.

Committee on **Child Welfare and Foster Care** recommends **HB 2443** be amended on page 2, in line 28, by striking "12" and inserting "11"; in line 35, after the semicolon by inserting "and"; in line 36, by striking all after "(B)"; by striking all in line 37; in line 38, by striking "(C)"; in line 39, by striking "and"; by striking all in line 40;

On page 3, in line 1, by striking all after "(B)"; by striking all in line 2; in line 3, by striking "(C)"; by striking all in line 5; in line 6, by striking all before the semicolon and inserting "(C) an individual with professional experience providing mental health services to a child in need of care"; in line 8, by striking "and"; in line 9, by striking all after "(B)"; in line 10, by striking all before the semicolon and inserting "an individual who is a biological parent to a child in need of care; and

(C) a member at-large";

Also on page 3, in line 13, by striking "and"; in line 14, by striking all after "(B)"; in line 15, by striking all before the period and inserting "an individual who has adopted a child through a Kansas court; and

(C) a member at-large";

Also on page 3, in line 21, after "(f)" by inserting "The board may suspend or remove any member of the board for failure to perform such member's duties by majority vote of the board. Any vacancy created by such removal shall be filled in the same manner as the original appointment.

(g)";

Also on page 3, in line 23, by striking "(g)" and inserting "(h) (1)"; following line 25, by inserting:

"(2) At the board's initial meeting and annually at the board's first meeting subsequent to July 1, the board shall elect a chairperson, vice chairperson and other officers as the board deems appropriate from the board's membership.";

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

On page 5, following line 40, by inserting:

"(e) The filing of a complaint to the office shall not establish any relationship between the child advocate or an employee of the office and a complainant or any other party involved in the complaint. There is no privilege as to any communication between the child advocate or an employee of the office and a complainant or any other party involved in the complaint.";

On page 6, in line 4, after "(b)" by inserting "(1)"; also in line 4, by striking "either" and inserting ":

(A)";

Also on page 6, in line 7, by striking the first "or" and inserting ";

(B)";

Also on page 6, in line 8, after "welfare" by inserting ";

(C) has demonstrated extensive experience in the practice of child welfare in the field";

Also on page 6, also in line 8, after the period by inserting:

"(2)"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2447** be amended on page 1, in line 6, by striking all after "entity"; in line 7, by striking all before "from"; also in line 7, by striking "or service"; in line 9, after "(b)" by inserting "Nothing in this act shall be construed to prohibit or restrict a municipality from:

(1) Setting reasonable standards for the regulation of alcohol possession as otherwise provided by law;

(2) regulating consumer merchandise to the extent necessary to comply with local building or fire codes; or

(3) requiring the licensing or permitting of an individual, partnership, corporation or other business entity.

(c) Nothing in this section shall be construed to prohibit or restrict the zoning authority of municipalities.

(d)";

Also on page 1, in the title, in line 2, by striking "or services"; also in line 2, after "law" by inserting ";

providing for certain exceptions to such prohibition"; and the bill be passed as amended.

Committee on **Education** recommends **SB 66** be amended on page 1, in line 36, by striking "uniformed service" and inserting "armed forces";

On page 2, in line 23, by striking "uniformed service" and inserting "armed forces"; in line 24, by striking all after "reserve"; and the bill be passed as amended.

Committee on **Education** recommends **SB 123** be amended on page 2, in line 23, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Energy, Utilities and Telecommunications** recommends **SB 144** be passed.

Committee on **Federal and State Affairs** recommends **HB 2412** be passed.

Committee on **Financial Institutions and Pensions** recommends **HB 2436** be amended on page 1, in line 16, by striking "5" and inserting "6";

On page 2, in line 22, after "fiduciary" by inserting "specifically on assets managed on behalf of the system"; in line 40, after "requires" by inserting "specifically on assets managed on behalf of the system";

On page 3, in line 25, after "based" by inserting "solely"; in line 31, after "based" by inserting "solely";

On page 4, in line 10, after "factors" by inserting ", in which case the system may grant proxy voting authority to such person"; in line 16, after "system" by inserting ", in which case the system may engage a proxy voting advisor"; in line 23, after "system" by inserting ", in which case the system may entrust engagement and share voting to a fiduciary"; in line 29, after "factors" by inserting ", in which case the investment

manager or contractor may follow the recommendations of a proxy or other service advisor"; in line 31, by striking "legislative coordinating council" and inserting "joint committee on pensions, investments and benefits"; following line 35, by inserting:

"(j) Subsections (e) through (i) shall apply only to assets managed on behalf of the system and shall not apply to alternative or real estate investments as defined in K.S.A. 74-4921(5), and amendments thereto.";

On page 5, following line 18, by inserting:

"New Sec. 6. In a cause of action based on an action, inaction, decision, divestment, investment, report or other determination made or taken in compliance with this act, without regard to whether the person performed services for compensation, the state shall indemnify and hold harmless the system for actual damages, court costs and attorney fees adjudged against, and defend the system and any of its current and former employees, members of the board or any other officers of the system related to the act or omission on which the damages are based.";

And by renumbering sections accordingly;

On page 1, in the title, in line 12, after the semicolon by inserting "indemnifying the Kansas public employees retirement system with respect to actions taken in compliance with such act;"; and the bill be passed as amended.

Committee on **Insurance** recommends **SB 85** be amended on page 16, in line 23, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

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

Request No. 46, by Representative Mike Thompson, congratulating Hannah Bunch on achieving the rank of Eagle Scout awarded by the Boy Scouts of America;

Request No. 47, by Representative Dan Osman, congratulating Isabella Culross, 2023 Kansas Miss Amazing Pre-Teen;

Request No. 48, by Representative Dan Osman, congratulating Harper Adams, 2023 Kansas Miss Amazing Jr. Teen;

Request No. 49, by Representative Dan Osman, congratulating Rebekah Jones, 2023 Kansas Miss Amazing Teen;

Request No. 50, by Representative Dan Osman, congratulating Nora Stoy, 2023 Kansas Miss Amazing Jr. Miss;

Request No. 51, by Representative Dan Osman, congratulating Crystal Wood, 2023 Kansas Miss Amazing Miss;

Request No. 52, by Representative Dan Osman, congratulating Rebecca Shepherd, 2023 Kansas Miss Amazing Sr. Miss;

Request No. 53, by Representative Dan Osman, congratulating Michelle Roberts, State Director, Kansas Miss Amazing;

Request No. 54, by Representative Susan Ruiz, honoring the Kansas Organ, Eye and tissue Donor Education and Awareness Day;

Request No. 55, by Representative Jo Ella Hoye, commending Shawnee Mission Northwest High School Yearbook, The Lair, Susan Massey, Adviser, in recognition for being number 1 in the 2022 Pacemaker 100;

Request No. 56, by Representative Jo Ella Hoye, commending Shawnee Mission East High School Yearbook, The Hauberk, Dow Tate, Adviser, in recognition for being number 9 in the 2022 Pacemaker 100;

Request No. 57, by Representative Jo Ella Hoye, commending Shawnee Mission North High School Yearbook, The Brickhouse, Becky Tate, Adviser, in recognition for being number 4 in the Pacemaker 100;

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 Representative Croft 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 bill was introduced and read by title:

HB 2465, AN ACT concerning income taxation; relating to the salt parity act; clarifying the determination of taxable income of an electing pass-through entity; providing for the passing through of tax credits to electing pass-through entity owners; amending K.S.A. 2022 Supp. 79-32,287 and repealing the existing section, by Committee on Taxation.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Carpenter announced the appointment of Rep. Blake Carpenter to replace Rep. Blex on Committee on Health and Human Services for March 16, 2023.

Also, the appointment of Rep. Poskin to replace Rep. Boyd on Committee on Health and Human Services for March 16, 2023.

Also, the appointment of Rep. Winn to replace Rep. Carmichael on Committee on Corrections and Juvenile Justice for March 16, 2023.

REPORT ON ENGROSSED BILLS

HB 2225, HB 2400 reported correctly engrossed March 15, 2023.

On motion of Rep. Croft the House adjourned pro forma until 8:30 a.m. on Friday, March 17, 2023.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

