

Journal of the House

FIFTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 28, 2023, 9:30 a.m.

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

The roll was called with 124 members present.
Rep. Poetter Parshall was excused on verified illness.
Excused later: Reps. Howe and Underhill.

Prayer by Chaplain Brubaker:

Merciful God,
thank You for this day
that You have given us.
Today is another long day here on the floor
with a lot of important business to address.
I pray for strength, alertness,
focus, direction, creativity,
teamwork, collaboration, cooperation,
patience, kindness, and a spirit of unity.
May each one keep before them
the goal of making decisions that best help Kansans.
Amen.

The Pledge of Allegiance was led by Rep. Meyer.

INTRODUCTION OF GUESTS

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

I rise before the body to honor Arianna Ortiz who came in first place at the wrestling State Championship in the 100 lb. weight class. Arianna has made history as the first ever girls wrestling State Champion for Turner High School, in Wyandotte County. I am sure this is just the start of her many firsts. She is joined by her family today, Carlos Ortiz, Carlos Ortiz Jr., Erika Ortiz, Coach Paul Hansen and Principal Mark Farrar.

Rep. Oropeza presented Arianna with a framed House certificate in honor of her achievements.

MESSAGE FROM THE SENATE

Announcing passage of **Sub SB 55**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

SB 55.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Francis, the House nonconcurred in Senate amendments to **HB 2014** and asked for a conference.

Speaker pro tem Carpenter thereupon appointed Reps. Francis, Neelly and Ballard as conferees on the part of the House.

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

COMMITTEE OF THE WHOLE

On motion of Rep. Rahjes, Committee of the Whole report, as follows, was adopted:
Recommended that **SB 49** be passed.

Committee report recommending a substitute bill to **SB 42** be adopted.

Also, on motion of Rep. Blew, **H Sub for SB 42** be amended on page 286, following line 22, by inserting:

"Sec. 147. (a) During the fiscal years ending June 30, 2024, and June 30, 2025, in addition to the other purposes for which expenditures may be made by any state agency that is named in this act, expenditures shall be made by such state agency from moneys appropriated for fiscal year 2024 and fiscal year 2025 by this or any other appropriation act of the 2023 or 2024 regular session of the legislature to post on a searchable website accessible by the public, pursuant to the Kansas taxpayer transparency act, K.S.A. 74-72,123, and amendments thereto, any grant awarded by any agency using state or federal funds, including the grant awardee, applications and a list of all applicants who applied for such grant: *Provided*, That the list of all such applicants shall include: (1) Such applicant's organization name; (2) the county where the proposed project is located; (3) a brief description of the proposed project in such application; (4) the dollar amount requested in such application; and (5) the date that the above agency received such application: *Provided further*, That information required to be included on the website pursuant to this paragraph shall be posted within 30 business days after the date of awarding the grant.";

And by renumbering sections accordingly

Also, on motion of Rep. Waymaster, **H Sub for SB 42** be amended on page 210, following line 35, by inserting:

"State universities investment in
cybersecurity and IT infrastructure.....\$5,000,000

Provided, That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are

eligible to be used for information technology and cybersecurity upgrades and improvements, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such information technology and cybersecurity upgrades and improvements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$5,000,000 as available from such funds to the special revenue fund of the above agency and as designated by the chief executive officer of the state board of regents for the purpose of funding such information technology and cybersecurity upgrades and improvements: *And provided further*, That on the effective date of such transfer, of the \$5,000,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the state universities investment in cybersecurity and IT infrastructure account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Washburn university cybersecurity
and IT infrastructure.....\$450,000

Provided, That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for coronavirus relief that are eligible to be used for information technology and cybersecurity upgrades and improvements, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such information technology and cybersecurity upgrades and improvements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$450,000 as available from such funds to the special revenue fund of the above agency and as designated by the chief executive officer of the state board of regents for the purpose of funding such information technology and cybersecurity upgrades and improvements: *And provided further*, That on the effective date of such transfer, of the \$450,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this

section from the state general fund in the Washburn university cybersecurity and IT infrastructure account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Community colleges' and technical colleges'
 cybersecurity and IT infrastructure.....\$6,500,000

Provided, That all expenditures from the community colleges' and technical colleges' cybersecurity and IT infrastructure account shall be made to provide to each community college, technical college and Washburn institute of technology \$250,000: *Provided further*, That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for information technology and cybersecurity upgrades and improvements, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *And provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such information technology and cybersecurity upgrades and improvements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$6,500,000 as available from such funds to the special revenue fund of the above agency and as designated by the chief executive officer of the state board of regents for the purpose of funding such information technology and cybersecurity upgrades and improvements: *And provided further*, That on the effective date of such transfer, of the \$6,500,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the community colleges' and technical colleges' cybersecurity and IT infrastructure account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.";

On page 212, by striking all in lines 35 through 43;

By striking all on pages 213 and 214;

On page 215, by striking all in lines 1 through 8

Also, on motion of Rep. Helgerson to amend **H Sub for SB 42**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Owens, to amend **House Substitute for SB 42**, on page 286, following line 22, by inserting:

"Sec. 147. (a) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any statute to the contrary, no expenditures shall be made by any state

agency that is named in this act from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, to increase the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, funded from appropriations for the fiscal year ending June 30, 2024, made in this or other appropriation act of the 2023 regular session of the legislature above the number of such positions funded from appropriations for the fiscal year ending June 30, 2023, pursuant to chapter 87 or 91 of the 2022 Session Laws of Kansas: *Provided*, That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the director of legislative research, the amount of moneys appropriated in each state general fund account for the salaries and wages and associated fringe benefits for any such new positions and shall certify the amount so determined to the director of accounts and reports: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall lapse such certified amount in each state general fund account: *And provided further*, That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the director of legislative research, the amount of moneys appropriated in each special revenue fund for the salaries and wages and associated fringe benefits for any such new positions and shall certify the amount so determined to the director of accounts and reports: *And provided further*, That, upon receipt of each such certification, the director of accounts and reports shall decrease by such certified amount the expenditure limitation on such special revenue funds.";

And by renumbering sections accordingly

On roll call, the vote was: Yeas 75; Nays 46; Present but not voting: 0; Absent or not voting: 4.

Yeas: Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Collins, Corbet, Croft, Delperdang, Donohoe, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Houser, Howell, Howerton, Humphries, Jacobs, T. Johnson, Landwehr, Lewis, Martinez, Mason, Maughan, Minnix, Moser, Murphy, Neelly, Owens, F. Patton, Penn, Pickert, Proctor, Rahjes, Resman, Rhiley, Roth, Sanders, Schmoie, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Waymaster, White, Williams, K., Williams, L..

Nays: Alcalá, Amyx, Ballard, Borjon, Boyd, Carlin, Carmichael, Carr, Concannon, Curtis, Dodson, M., Featherston, Haskins, Haswood, Helgerson, Highberger, Hougland, Howe, Hoye, Melton, Meyer, Miller, D., Miller, S., Miller, V., Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Poskin, Probst, Robinson, Ruiz, L., Ruiz, S., Sawyer, Sawyer Clayton, Schlingensiepen, Schreiber, Smith, C., Stogsdill, Vaughn, Weigel, Winn, Woodard, Xu, Younger.

Present but not voting: None.

Absent or not voting: Anderson, Kessler, Poetter Parshall, Wasinger.

The motion of Rep. Owens prevailed.

Also, on motion of Rep. V. Miller to amend **H Sub for SB 42**, Rep. Waymaster requested a ruling on the amendment being in order under the Pay-Go provision pursuant to House Rule 2110. The Rules Chair ruled the amendment in order.

Also, roll call was demanded on Rep. Miller's motion to amend **H Sub for SB 42**, on page 331, by striking all in lines 13 through 40;

On page 334, in line 39, by striking "79-2959,";

And by renumbering sections accordingly;

On page 1, in the title, in line 10, by striking "79-2959,"

On roll call, the vote was: Yeas 83; Nays 40; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Ballard, Blex, Bloom, Borjon, Boyd, Buehler, Butler, Carlin, Carmichael, Carr, Clifford, Corbet, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Fairchild, Featherston, Garber, Goddard, Goetz, Haskins, Haswood, Helgerson, Highberger, Hill, Hougland, Houser, Howell, Hoye, Kessler, Lewis, Martinez, Melton, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, F. Patton, Pickert, Poskin, Probst, Proctor, Resman, Robinson, Roth, Ruiz, L., Ruiz, S., Sawyer, Sawyer Clayton, Schlingensiepen, Schreiber, Seiwert, Smith, A., Smith, C., Stogsdill, Thomas, Thompson, Titus, Turner, Underhill, Vaughn, Wasinger, Weigel, White, Williams, L., Winn, Woodard, Xu, Younger.

Nays: Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Bryce, B. Carpenter, W. Carpenter, Collins, Concannon, Croft, Donohoe, Estes, Francis, Gardner, Hawkins, Hoffman, Hoheisel, Howe, Howerton, Humphries, Jacobs, T. Johnson, Landwehr, Mason, Maughan, Owens, Penn, Rahjes, Rhiley, Sanders, Schmoë, Smith, E., Sutton, Tarwater, Turk, Waggoner, Waymaster, Williams, K..

Present but not voting: None.

Absent or not voting: Meyer, Poetter Parshall.

The motion of Rep. V. Miller prevailed.

Also, on motion of Rep. Probst, **H Sub for SB 42** be amended on page 279, by striking all in lines 20 through 26 and **H Sub for SB 42** be passed as amended.

Committee report to **SCR 1603** be adopted.

Also, roll call was demanded on motion to recommend **SCR 1603** favorably for passage.

On roll call, the vote was: Yeas 84; Nays 35; Present but not voting: 0; Absent or not voting: 6.

Yeas: Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Houser, Howe, Howell, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, Minnix, Moser, Murphy, Neelly, Owens, F. Patton, Penn, Pickert, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Schmoë, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Waggoner, Wasinger, Waymaster, White, Williams, K., Williams, L., Younger.

Nays: Alcalá, Amyx, Ballard, Boyd, Carlin, Carmichael, Curtis, Featherston, Haskins, Haswood, Helgerson, Highberger, Hougland, Hoye, Martinez, Melton, Meyer, Miller, D., Miller, V., Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Poskin, Ruiz, L.,

Ruiz, S., Sawyer, Sawyer Clayton , Schlingensiepen, Stogsdill, Vaughn, Weigel, Winn, Xu.

Present but not voting: None.

Absent or not voting: Carr, Howerton, Miller, S., Poetter Parshall, Underhill, Woodard.

And **SCR 1603** be adopted as amended.

MESSAGE FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2096** and has appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2097** and has appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2098** and has appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2100** and has appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2214** and has appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2285** and has appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2298** and has appointed Senators Petersen, Dietrich and Corson as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub HB 2344** and has appointed Senators Erickson, Dietrich and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2042** and has appointed Senators Erickson, Dietrich and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2094** and has appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2093** and has appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2090** and has appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2089** and has appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2020** and has appointed Senators Petersen, Kloos and Corson as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2131** and has appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2130** and has appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2065** and has appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2015** and has appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2184** and has

appointed Senators Billinger, Claeys and Pettey as conferees on the part of the Senate.

On motion of Rep. Croft, the House recessed until 1:15 p.m.

EARLY AFTERNOON SESSION

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

CHANGE OF REFERENCE

Speaker Carpenter announced the withdrawal of **HB 2367** from Committee on Corrections and Juvenile Justice and referral to Committee on Interstate Cooperation.

Also, the withdrawal of **HB 2417**, **HB 2451** from Committee on Federal and State Affairs and referral to Committee on Interstate Cooperation.

MESSAGES FROM THE SENATE

Announcing passage of **HB 2019**, as amended; **HB 2039**, as amended; **HB 2059**, as amended; **HB 2125**, as amended; **HB 2173**, as amended; **HB 2196**, as amended; **HB 2234**, as amended; **HB 2236**, as amended; **HB 2263**, as amended; **HB 2284**, as amended; **HB 2292**, as amended; **HB 2322**, as amended; **HB 2335**, as amended; **HB 2375**, as amended.

Announcing passage of **HB 2010**, as amended by **S Sub for HB 2010**.

Announcing passage of **HB 2080**, **HB 2082**, **Sub HB 2121**, **HB 2226**, **HB 2240**, **HB 2269**, **HB 2288**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

Speaker pro tem Carpenter announced that in accordance with House Rule 2107, the Senate amendments to **HB 2263** do materially change it's subject and **HB 2263** therefor is not subject to motions to concur and nonconcur.

HB 2263 was thereupon introduced and read by title.

Speaker pro tem Carpenter therefor referred **HB 2263** to Committee on Health and Human Services.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2232**, **HB 2465**, **HB 2439** be passed.

Committee report recommending a substitute bill to **SB 169** be adopted.

Also, on motion of Rep. A. Smith, **House Substitute for SB 169** be amended on page 23, in line 39, before "0%" by inserting "as follows:

(1) Commencing on January 1, 2023, at the rate of 4%; and

(2) commencing on July 1, 2023, and thereafter, at the rate of"

Also, roll call was demanded on motion of Rep. Sawyer, to amend **House Substitute for SB 169**, on page 2, in line 17, by striking "\$65,000" and inserting "\$80,000"

On roll call, the vote was: Yeas 97; Nays 23; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Blew, Blex, Borjon, Boyd, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, Carr, Clifford, Collins, Corbet, Curtis, Delperdang, Dodson, M., Ellis, Eplee, Essex, Fairchild, Featherston, Francis, Garber, Goddard, Goetz, Haskins, Haswood, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Houser, Howe, Hoye, Jacobs, T. Johnson, Kessler, Landwehr, Martinez, Maughan, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, F. Patton, Poskin, Probst, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Sawyer Clayton, Schlingensiepen, Schreiber, Smith, A., Smith, C., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Vaughn, Weigel, White, Williams, K., Williams, L., Winn, Woodard, Xu, Younger.

Nays: Barth, Bergkamp, Bergquist, Bloom, W. Carpenter, Concannon, Donohoe, Droge, Estes, Gardner, Hawkins, Howell, Howerton, Humphries, Lewis, Penn, Pickert, Schmoee, Seiwert, Smith, E., Waggoner, Wasinger, Waymaster.

Present but not voting: None.

Absent or not voting: Croft, Mason, Poetter Parshall, Proctor, Underhill.

The motion of Rep. Sawyer prevailed.

Also, on motion of Rep. Sawyer Clayton to amend **H Sub for SB 169**, the motion did not prevail.

Also, on motion of Rep. Stogsdill, **H Sub for SB 169** be amended on page 12, in line 26, by striking "For all taxable years beginning after December 31, 2017,"; in line 43, after the period by inserting "Contributions made to a qualified tuition program pursuant to this paragraph on and after January 1 but prior to the date required for filing a return pursuant to K.S.A. 79-3221, and amendments thereto, of the successive taxable year may be elected by the taxpayer to apply to the prior taxable year if such election is made at the time of filing the return. In no instance shall the contribution be used as a modification in more than one taxable year.";

On page 1, in the title, in line 6, after the semicolon by inserting "allowing a taxpayer to elect the taxable year in which a subtraction modification for contributions to a qualified tuition program would be applied;"

Also, on motion by Rep. Stogsdill to amend **H Sub for SB 169**, the motion was withdrawn;
and the substitute bill be passed as amended.

Committee report to **SB 8** be adopted; and the bill be passed as amended.

Committee report to **HB 2317** be adopted; and the bill be passed as amended.

Committee report to **HB 2254** be adopted.

Also, on motion of Rep. Corbet to amend **HB 2254**, Rep. Probst requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. A. Smith, **HB 2254** be amended, As Amended by House Committee, on page 3, in line 38, by striking "2022" and inserting "2020" and the bill be passed as amended.

On motion of Rep. Proctor, **HB 2036** be amended on page 2, in line 4, by striking all after "(1)"; by striking all in lines 5 and 6; in line 7, by striking "(2)"; in line 9, by striking "or" and inserting ". Any homestead property that is granted an exemption under this section shall not be eligible for";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

And the bill be passed as amended.

Committee report to **HB 2416** be adopted.

Also roll call was demanded on motion of Rep. Sawyer Clayton to amend **HB 2416**, As Amended by House Committee, on page 39, in line 31, by striking "and"; in line 37, after "state" by inserting "; and

(rrrr) all sales of feminine hygiene products and diapers, children's and adult, including disposable diapers. As used in this subsection:

- (1) "Adult diapers" means diapers other than children's diapers;
- (2) "children's diapers" means diapers marketed to be worn by children;
- (3) "diaper" means an absorbent garment worn by humans who are incapable of, or have difficulty, controlling their bladder or bowel movements; and
- (4) "feminine hygiene products" means tampons, panty liners, menstrual cups, sanitary napkins and other similar tangible personal property designed for feminine hygiene in connection with the human menstrual cycle";

On page 1, in the title, in line 2, by striking "and" and inserting a comma; in line 3, after "inc." by inserting "and sales of feminine hygiene products and diapers"

On roll call, the vote was: Yeas 43; Nays 79; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Ballard, Boyd, Carlin, Carmichael, Carr, Curtis, Featherston, Haskins, Haswood, Helgerson, Highberger, Hougland, Howe, Hoye, Martinez, Melton, Meyer, Miller, D., Miller, S., Miller, V., Ohaebosim, Oropeza, Osman, Ousley, Poskin, Probst, Proctor, Robinson, Ruiz, L., Ruiz, S., Sawyer, Sawyer Clayton, Schlingensiepen, Smith, C., Stogsdill, Vaughn, Weigel, Williams, L., Winn, Woodard, Xu.

Nays: Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Houser, Howell, Howerton, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, Minnix, Moser, Murphy, Neely, Owens, F. Patton, Penn, Pickert, Rahjes, Resman, Rhiley, Roth, Sanders, Schmoe, Schreiber, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Waggoner, Wasinger, Waymaster, White, Williams, K., Younger.

Present but not voting: None.

Absent or not voting: Neighbor, Poetter Parshall, Underhill.

The motion of Rep. Sawyer Clayton did not prevail.

Also, on motion by Rep. Stogsdill to amend **HB 2416**, the motion was withdrawn.

And the bill be passed as amended.

SB 34 be passed over and retain a place on the calendar.

Committee report to **SB 209** be adopted; and the bill be passed as amended.

Committee report to **SB 221** be adopted; and the bill be passed as amended.

Committee report to **SB 180** be adopted; and the bill be passed as amended.

On motion of Rep. Hoye to amend **HB 2412**, Rep. Schmoie requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Rep. Hoye challenged the ruling, the question being “Shall the Rules Chair be sustained?”

The ruling of the Rules Chair was sustained and the amendment by Rep. Hoye was not germane.

Also, on motion of Rep. Sawyer Clayton to amend **HB 2412**, Rep. Schmoie requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Featherston to amend **HB 2412**, Rep. Schmoie requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Ballard to amend **HB 2412**, Rep. Schmoie requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed.

Committee report to **HB 2140** be adopted.

Also, on motion of Rep. Meyer to amend **HB 2140**, Rep. Lewis requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, roll call was demanded on Rep. Meyer's challenge of the ruling of the Rules Chair, the question being “Shall the Rules Chair be sustained?”

On roll call, the vote was: Yeas 84; Nays 39; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, Minnix, Moser, Murphy, Neelly, Owens, F. Patton, Penn, Pickert, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Waggoner, Wasinger, Waymaster, White, Williams, K., Williams, L., Younger.

Nays: Alcala, Amyx, Ballard, Boyd, Carlin, Carmichael, Carr, Curtis, Featherston, Haskins, Haswood, Helgerson, Highberger, Hougland, Hoye, Martinez, Melton, Meyer, Miller, D., Miller, S., Miller, V., Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Sawyer Clayton, Schlingensiepen, Stogsdill, Vaughn, Weigel, Winn, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Poetter Parshall, Underhill.

The Rules Chair was sustained and the bill be passed as amended.

Committee report to **HB 2179** be adopted.

Also, on motion of Rep. Averkamp, **HB 2179** be amended As Amended by House Committee, on page 1, in the title, in line 1, by striking the second semicolon; in line 2, by striking "removing" and inserting a comma; also in line 2, by striking all after "support"; in line 3, by striking all before the semicolon and the bill be passed as amended.

Committee report recommending a substitute bill to **SB 73** be adopted; and **H Sub for SB 73** be passed.

Committee report to **SB 174** be adopted.

Also, on motion of Rep. Curtis to amend **SB 174**, the motion did not prevail.

Also, on motion of Rep. Carmichael to amend **SB 174**, the motion did not prevail; and the bill be passed as amended.

REPORT ON ENGROSSED BILLS

Sub HB 2414, HB 2418, HB 2438 reported correctly engrossed March 27, 2023.

HB 2401, HB 2443, HB 2446 reported correctly engrossed March 28, 2023.

REPORT ON ENROLLED BILLS

HB 2092, HB 2197, HB 2262 reported correctly enrolled, properly signed and presented to the Governor on March 28, 2023.

REPORT ON ENROLLED RESOLUTIONS

HR 6019 reported correctly enrolled and properly signed on March 28, 2023.

On motion of Rep. Croft, the House adjourned until 9:30 a.m., Wednesday, March 29, 2023.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

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