

# Journal of the House

FIFTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, April 3, 2024, 10:00 a.m.

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

The roll was called with 120 members present.

Rep. Houser was excused on verified illness.

Reps. Penn, C. Smith, Thomas and Vaughn were excused on excused absence by the Speaker.

Excused later: Reps. Eplee and Poetter Parshall.

Present later: Reps. Thomas and Vaughn.

Prayer by Chaplain Holmes:

Dear Father. We want to thank You for all the good and positive things which has occurred in this chamber during the current session. You have been so kind as to offer wisdom, insight and knowledge as the work for the people of Kansas has moved forward. I pray Your blessings upon each of these who have helped to make our State an even better place to call home.

Father, as this part of our session begins to wind down, help us to end well! Your Word teaches, "Let no unwholesome word proceed from your mouth, but only such a word as is good for edification, according to the need of the moment, that it may give grace to those who hear. Let all bitterness and wrath and anger and clamor and slander be put away from you, along with all malice. And be kind to one another, tender hearted, forgiving each other." Might we strive to imitate You as we work to leave a legacy of achievement for the people of Kansas.

We want to thank You once again for the wonderful support we have received from those who have helped to make our load a little lighter; janitors, clerks, pages, security personnel and all of our wonderful helpers, in areas too numerous to count.

We would be remiss in not mentioning our families to You! It has been through their faithfulness that we have been able to accomplish so many good things for those who elected us. Thank You for their faithfulness and patience!

After this session closes, remind us people are still watching us! They so want to respect and trust us. Help us to never be the one who violates that trust.

In Jesus Name I pray. Amen.

The Pledge of Allegiance was led by Rep. Essex.

### **PERSONAL PRIVILEGE**

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

In 1941, US Representative Edith Nourse Rogers of Massachusetts introduced a bill that would give women a larger role in the armed forces. President Roosevelt signed a version of that bill into law, establishing the Women's Army Auxiliary Corps (WAAC) "for the purpose of making available to the national defense the knowledge, skill and special training of women of the nation." The pioneering Black educator Mary McLeod Bethune, working alongside her close friend first lady Eleanor Roosevelt, argued for a more prominent role for Black women in the military. "We must not fail America," Bethune urged her fellow African Americans, "and as Americans, we must not let America fail us." In 1943, the WAAC dropped the word "Auxiliary" and allowed women to become members of the regular Army.

Altogether, about 6,500 Black women enlisted in the Women's Army Corps during World War II. Charity Edna Adams, a young woman from South Carolina, was recommended by a dean at Wilberforce University, where she'd graduated with a triple major in math, physics and Latin, and a minor in history.

All U.S. service members stationed in Europe had individual file cards noting where they were at any given time. But the troops had been moving quickly, and the mail had fallen far behind. It didn't help that so many service members had the same name; for instance, there were 7,500 Robert Smiths (many listed under variations like Bob, Rob and Bobby.)

This Women's Army group of 855 Black women traveled to Birmingham, England, where they moved into King Edward's School building. Their accommodations were primitive, with showers outside in the courtyard in the freezing February air. Their work environment was worse. One of the battalion's first tasks was to clear six airplane hangars filled to the brim with mail, including huge piles of Christmas parcels that had arrived during the recent Battle of the Bulge. Rats and other vermin were feasting on the baked goods. Windows were blacked out to deter air raids.

The unit worked round the clock, seven days a week, in three eight-hour shifts each of which processed an average of more than 65,000 pieces of mail. Some packages had been damaged beyond repair, so a special unit had to reassemble their scattered contents by matching up dates and packing materials. The Six Triple Eight – as they were called – also had the task of censoring letters, making sure no sensitive information would compromise the war effort.

By May 1945, the women had achieved in three months what no one before them had managed to do in two years. They'd cleared the mail backlog in England. From there, they were transferred to Rouen, France, to tackle more mail issues.

The Six Triple Eight finished their work in early 1946, clearing the last backlogs of mail in Paris. A booklet called *The WAC*, published in late 1945, declared that the Six

Triple Eight had broken all existing records for mail delivery. These women delivered 17 million pieces of mail between soldiers and loved ones back home.

Colonel Edna Cummings was reading online one day in 2015 when she stumbled upon a story about another African American Colonel named Edna: Charity Edna Adams.

Cummings helped lead an effort for a monument to the Six Triple Eight at Fort Leavenworth, KS. On a chilly November day in 2018, five members of the Six Triple Eight attended an unveiling ceremony in wheelchairs, their laps covered with blankets. “My dad is a WWII veteran,” said Jerry Moran, the senior US Senator from Kansas, addressing the women. “I never thought about it on a personal level until I was with you today – what role you and others played in my family’s life, to make sure that my mom and dad communicated with each other for the long period of World War II. So, from my family, a personal thank you to you, for keeping two people who loved each other together. When we unveil this memorial, what we are really saying is this: Thank you for your service. We respect you. And we love you. God bless you.”

James Theres, the historian who directed the Six Triple Eight documentary, suggested to Cummings that the women should be awarded the Congressional Gold Medal. Senator Moran co-sponsored the bi-partisan legislation with my friend, Representative Gwen Moore of Wisconsin, but a Congressional Gold medal needs a two-thirds vote from Congress.

Word went out among veterans, churches and other networks of people who might be able to persuade politicians. In the end the bill passed unanimously in both the Senate and the House of Representatives. President Joe Biden signed it into law March 14, 2022 – 77 years after World War II.

As far as Congress is concerned, the Six Triple Eight were simply great Americans who crossed oceans and cultural barriers to serve their country brilliantly. They kept troops connected with their loved ones back home and made America a more perfect union. When the Congressional Gold Medal is minted, it will hang in the Smithsonian for everyone to see -a mirror for our better selves and a beacon for all the brave girls still to come.

You can see this new film on Netflix later this year. It was written, directed, and produced by Tyler Perry. “Six Triple Eight” tells the inspiring true story of the 6888<sup>th</sup> Postal Directory Battalion. Kerry Washington is the film’s star and an executive producer.

“...to honor the long-ignored worth of the 6888 has been the greatest privilege of my career thus far.” – Tyler Perry

“It is the honor and privilege of a lifetime to step into these women’s shoes. They are the epitome of strength, perseverance, and resilience. I can’t wait for you to see them in action!” – Kerry Washington

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following Senate concurrent resolution was referred to committee as indicated:

Commerce, Labor and Economic Development: **SCR 1620**.

**COMMUNICATIONS FROM STATE OFFICERS**

Board of Education of United School District No. 253, Lyon County, Kansas; Notice of Intention to Dispose of School District Building.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

**MESSAGE FROM THE SENATE**

The Senate announced the appointment of Senators Thompson, Kloos and Faust Goudeau to replace Senators Longbine, Fagg and Holscher as senate conferees on **HB 2532**.

The Senate announced the appointment of Senators Gossage, Erickson and Pettey to replace Senators Longbine, Fagg and Holcher as senate conferees on **HB 2531**.

The Senate announced the appointment of Senators Billinger, Claeys and Pettey to replace Senators Longbine, Fagg and Pittman as senate conferees on **HB 2105**.

The Senate announced the appointment of Senators Billinger, Claeys and Pettey to replace Senators Longbine, Fagg and Holscher as senate conferees on **SB 18**.

The Senate snnounced the appointment of Senator Shallenburger to replace Senator Kloos as a conferee on **H Sub SB 143**.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Poskin, **HR 6046**, as follows, was introduced and adopted:

**HR 6046**—A RESOLUTION congratulating SevenDays on its 10th anniversary of teaching kindness and making a ripple to change the world.

By Representative Poskin

WHEREAS, We overcome hate by promoting kindness and understanding through education and dialogue; and

WHEREAS, SevenDays is an organization that provides opportunities to encourage all people to participate in activities that promote the practice of kindness; and

WHEREAS, SevenDays celebrates its 10<sup>th</sup> anniversary beginning on April 10, 2024, with the Kindness Breakfast, a celebration of youth and an announcement of the 4<sup>th</sup> annual "Ripple of Kindness Award" recipient, as well as its new Community Kindness Festival on Sunday, April 14, 2024; and

WHEREAS, SevenDays continues its daily themes of "Love, Discover, Others, Connect, You, Go and Onward," as it brings people from all walks of life together to overcome hate with acts of kindness; and

WHEREAS, The memories of three wonderful and unique people, Reat Underwood, Dr. William Corporon and Terri LaManno, whose lives were tragically taken during a shooting at the Jewish Community Center of Greater Kansas City and Village Shalom in Overland Park, Kansas, on April 13, 2014, will be honored through kindness and understanding; and

WHEREAS, SevenDays expands its acts of compassion, acceptance and understanding to those who gather to celebrate; and

WHEREAS, We fully support and encourage all in Kansas, including residents,

businesses, organizations and visitors to come together during the SevenDays event, to act more kindly and be more understanding of differences, thereby making the world a better place, one ripple at a time: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we congratulate SevenDays on its 10<sup>th</sup> anniversary of teaching kindness and making a ripple to change the world; and

*Be it further resolved:* That we encourage all Kansans to engage in acts of kindness throughout the week and remember the events of April 13, 2014, not only for the losses of that day but also for the significance of the powerful and enduring vow to overcome hate with kindness; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send three enrolled copies of this resolution to SevenDays and one copy to Representative Poskin.

### **INTRODUCTION OF GUESTS**

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

I bring forward House Resolution 6046, in honor of kindness and understanding. May there be ever more of both in this world! 10 years ago on April 14, 2014, House District 20 was shattered by the tragic shooting deaths at the Jewish Community Center and Village Shalom retirement village. Fueled by antisemitic hate, the gunman took the lives of 14 year old Reat Underwood, his grandfather, Dr. William Corporon, both members of my church, and Terri LaManno, who was making her weekly visit to her mother in the village.

In the aftermath, two families and our community joined hands and hearts to shine a light on the darkness of hate and the SevenDays organization was born. The SevenDays® experience provides opportunities encouraging all people to increase kindness through knowledge, mindset and behavior. Today, our House Resolution congratulates Seven Days on its 10<sup>th</sup> anniversary of teaching kindness and understanding through education and dialogue...and making a ripple to change the world.

Today, I introduce Seven Days board member Lisa Schiffman, and Media and Community Relations Director, Ruth Bigus, and thank them for their tireless efforts as they begin their 10<sup>th</sup> anniversary celebratory events on April 10<sup>th</sup> to which everyone is invited. Please see the flyers on your desks for detailed information.

Please join me in full support and encouragement of all in Kansas including residents, businesses, organizations and visitors to come together during the SevenDays to act more kindly and be more understanding of differences, thereby making the world a better place one ripple at a time.

On motion of Rep. Croft, the House recessed until 10:30 a.m.

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### **LATE MORNING SESSION**

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

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 142** submits the following report:

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

On page 2, following line 34, by inserting:

"Sec. 3. K.S.A. 8-1530 is hereby amended to read as follows: 8-1530. (a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of K.S.A. 8-1738(d), and amendments thereto, and visual signals meeting the requirements of K.S.A. 8-1720, and amendments thereto, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall do the following unless otherwise directed by a police officer:

- (1) Yield the right-of-way;
- (2) immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway clear of any intersection; and
- (3) stop and remain in such position until the authorized emergency vehicle has passed.

(b) The driver of a motor vehicle upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is making use of visual signals meeting the requirements of K.S.A. 8-1720 or 8-1722(d), and amendments thereto, shall do either of the following:

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary authorized emergency vehicle; or

(2) if the driver is not traveling on a highway of a type described in paragraph (1), or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle and maintain a safe speed for the road, weather and traffic conditions.

(c) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(d) (1) Violation of subsection (b) that results in injury or great bodily harm to any person serving as a law enforcement officer, an emergency medical service provider or a firefighter and such vehicle is an authorized emergency vehicle that is a fire department vehicle, police bicycle, police vehicle or an ambulance is a severity level 6, person felony.

(2) Violation of subsection (b) that results in death to any person serving as a law enforcement officer, an emergency medical service provider or a firefighter and such vehicle is an authorized emergency vehicle that is a fire department vehicle, police bicycle, police vehicle or an ambulance is a severity level 5, person felony.

(3) In addition to the penalty described in paragraph (1), the court shall impose a

fine of not less than \$1,000.

(4) In addition to the penalty described in paragraph (2), the court shall impose a fine of not less than \$7,500.";

On page 12, in line 21, after "K.S.A." by inserting "8-1530 and"; also in line 21, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "creating a crime for injuring or causing the death of certain authorized emergency vehicle operators when unlawfully passing a stationary authorized emergency vehicle;"; in line 5, after "K.S.A." by inserting "8-1530 and"; in line 6, by striking "section" and inserting "sections";

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

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

*Conferees on part of House*

MIKE PETERSEN

RICK KLOOS

ETHAN CORSON

*Conferees on part of Senate*

On motion of Rep. Francis, the conference committee report on **SB 142** was adopted.

On roll call, the vote was: Yeas 102; Nays 18; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Amyx, Anderson, Ballard, Bergquist, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Featherston, Francis, Gardner, Goddard, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Howe, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, Lewis, Martinez, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schreiber, Seiwert, Smith, A., Smith, E., Stiens, Stogsdill, Sutton, Thompson, Titus, Turk, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Williams, L., Winn, Woodard, Xu, Younger.

Nays: Awerkamp, Barth, Bergkamp, Blew, Blex, Fairchild, Garber, Goetz, Jacobs, Landwehr, Mason, Maughan, Murphy, Poetter, Rhiley, Schmoe, Tarwater, Turner.

Present but not voting: None.

Absent or not voting: Houser, Penn, Smith, C., Thomas, Vaughn.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 387** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

On motion of Rep. Williams, K. the conference committee report on **H Sub SB 387** to agree to disagree, was adopted.

Speaker pro tem Carpenter thereupon appointed Reps. Williams, K., Goetz and Winn as second conferees on the part of the House.

KRISTEY WILLIAMS

JASON GOETZ

*Conferees on part of House*

MOLLY BAUMGARDNER

RENEE ERICKSON

*Conferees on part of Senate*

### **CHANGE OF CONFEREES**

Reps. A. Smith, Bergkamp, and Sawyer are appointed to replace Reps. Francis, Neelly, and Ballard as members of the conference committee on **SB 410**.

Reps. A. Smith, Bergkamp, and Sawyer are appointed to replace Reps. Sutton, Penn, and Neighbor as members of the conference committee on **HB 2096**.

Reps. A. Smith, Bergkamp, and Sawyer are appointed to replace Reps. Sutton, Penn, and Neighbor as members of the conference committee on **HB 2098**.

### **MESSAGE FROM THE SENATE**

The Senate adopts the Conference Committee report to agree to disagree on **HB 2618**, and has appointed Senators Thompson, Kloos and Faust-Goudeau as Second conferees on the part of the Senate.

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

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### EARLY AFTERNOON

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

### **MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **S Sub HB 2124**.

The Senate adopts the Conference Committee report on **HB 2498**.

On motion of Rep. Croft, the House recessed until 2:15 p.m.

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### MID-AFTERNOON SESSION

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



**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **S Sub HB 2124** 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 as Senate Substitute for House Bill No. 2124, as follows:

On page 1, following line 11, by inserting:

"New Section 1. (a) The secretary of revenue shall conduct a study on licensed microbrewery compliance with state laws and rules and regulations governing the collection and remittance of alcoholic liquor enforcement taxes. On or before January 15, 2025, the secretary shall prepare and submit a report to the governor and the legislature on the findings of such study, including any recommendations regarding such collection and remittance, the monitoring thereof and ensuring compliance with applicable laws and rules and regulations.

(b) The director of alcoholic beverage control shall conduct a study on licensed microbrewery compliance with state laws and rules and regulations governing the collection and remittance of alcoholic liquor gallonage taxes. On or before January 15, 2025, the director shall prepare and submit a report to the governor and the legislature on the findings of such study, including any recommendations regarding such collection and remittance, the monitoring thereof and ensuring compliance with applicable laws and rules and regulations.

(c) This section shall expire on July 1, 2025.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after the second semicolon by inserting "directing the secretary of revenue to study the collection and remittance of alcoholic liquor enforcement tax by microbreweries; directing the director of alcoholic beverage control to study the collection and remittance of alcoholic liquor gallonage tax by microbreweries;"

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

MIKE THOMPSON

RICK KLOOS

OLETHA FAUST-GOUDEAU

*Conferees on part of Senate*

WILL CARPENTER

TOM KESSLER

JO ELLA HOYE

*Conferees on part of House*

On motion of Rep. Carpenter, W., the conference committee report on **S Sub HB 2124** was adopted.

On roll call, the vote was: Yeas 118; Nays 3; Present but not voting: 0; Absent or not voting: 4.

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

Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglund, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Stiens, Stogsdill, Sutton, Tarwater, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Williams, K., Williams, L., Winn, Woodard, Xu, Younger.

Nays: Rhiley, Smith, E., White.

Present but not voting: None.

Absent or not voting: Houser, Penn, Smith, C., Thomas.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2498** 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 amendments, as follows:

On page 1, by striking all in lines 7 through 35;

By striking all on page 2;

On page 3, by striking all in lines 1 through 10; following line 10, by inserting:

"Section 1. K.S.A. 2023 Supp. 75-5061 is hereby amended to read as follows: 75-5061. (a) The secretary of transportation is hereby authorized and empowered to: (1) Solicit and receive moneys from any public or private sources; and (2) establish and administer a grant program for public use general aviation airports for the purpose of planning, constructing, reconstructing or rehabilitating the facilities of such public use general aviation airports.

(b) Such grants shall be made upon such terms and conditions as the secretary deems appropriate, and such grants shall be made from funds credited to the public use general aviation airport development fund.

(c) The public use general aviation airport development fund is hereby established in the state treasury which shall be for the purpose of planning, constructing, reconstructing or rehabilitating the facilities of public use general aviation airports pursuant to subsection (a) of this section. All moneys received pursuant to subsection (a) shall be remitted to the state treasurer at least monthly and deposited in the state treasury to the credit of the public use general aviation airport development fund. The secretary shall administer the public use general aviation airport development fund. All expenditures from the public use general aviation airport development fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary or by a person or persons designated by the secretary.

~~(d) (1) On July 1, 1999, and each July 1 thereafter through July 1, 2012, the director of accounts and reports shall transfer \$3,000,000 from the state highway fund to the public use general aviation airport development fund.~~

(2) On July 1, ~~2013~~ 2024, and each July 1 thereafter, the director of accounts and reports shall transfer ~~\$5,000,000~~ \$15,000,000 from the state highway fund to the public use general aviation airport development fund. The secretary is hereby authorized to transfer additional moneys to the public use general aviation airport development fund from the state highway fund, and moneys from the public use general aviation airport development fund to the state highway fund. In no event shall the amount remaining in the public use general aviation airport development fund and the amount spent or dedicated for grants in each fiscal year be less than ~~\$5,000,000~~ \$15,000,000.

(e) As used in this section, "public use general aviation airport" means any airport available for use by the general public for the landing and taking off of aircraft, but shall not include any airport classified as a primary airport by the federal aviation administration.

(f) The secretary may adopt rules and regulations for the purpose of implementing the provisions of this section.

Sec. 2. K.S.A. 2023 Supp. 75-5061 is hereby repealed.";

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "public use general aviation airports; increasing the transfer from the state highway fund to the public use general aviation airport development fund; amending K.S.A. 2023 Supp. 75-5061 and repealing the existing section";

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

MIKE PETERSEN

RICK KLOOS

ETHAN CORSON

*Conferees on part of Senate*

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

*Conferees on part of House*

On motion of Rep. Francis, the conference committee report on **HB 2498** was adopted.

On roll call, the vote was: Yeas 117; Nays 4; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Highberger, Hill, Hoffman, Hoheisel, Houglan, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Wasinger, Waymaster, Weigel,

White, Williams, K., Williams, L., Winn, Woodard, Xu, Younger.

Nays: Fairchild, Helgerson, Poetter, Waggoner.

Present but not voting: None.

Absent or not voting: Houser, Penn, Smith, C., Thomas.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 455** submits the following report:

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

On page 1, by striking all in lines 17 through 34;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 24; following line 24, by inserting:

"Section 1. K.S.A. 2023 Supp. 66-104 is hereby amended to read as follows: 66-104. (a) ~~The term "public utility,"~~ As used in this act, ~~shall be construed to mean "public utility" means~~ every corporation, company, individual, association of persons, their trustees, lessees or receivers, that now or hereafter may own, control, operate or manage, except for private use, any equipment, plant or generating machinery, or any part thereof, for the transmission of telephone messages or for the transmission of telegraph messages in or through any part of the state, or the conveyance of oil and gas through pipelines in or through any part of the state, except pipelines less than 15 miles in length and not operated in connection with or for the general commercial supply of gas or oil, and all companies for the production, transmission, delivery or furnishing of heat, light, water or power. No cooperative, cooperative society, nonprofit or mutual corporation or association that is engaged solely in furnishing telephone service to subscribers from one telephone line without owning or operating its own separate central office facilities, shall be subject to the jurisdiction and control of the commission as provided in this section, except that it shall not construct or extend its facilities across or beyond the territorial boundaries of any telephone company or cooperative without first obtaining approval of the commission. ~~The term "Transmission of telephone messages" shall include~~ includes the transmission by wire or other means of any voice, data, signals or facsimile communications, including all such communications now in existence or as may be developed in the future.

(b) ~~The term "Public utility" shall also include~~ includes that portion of every municipally owned or operated electric or gas utility located in an area outside of and more than three miles from the corporate limits of such municipality, but regulation of the rates, charges ~~and~~ terms and conditions of service of such utility within such area shall be subject to commission regulation only as provided in K.S.A. 66-104f, and amendments thereto. Nothing in this act shall apply to a municipally owned or operated utility, or portion thereof, located within the corporate limits of such municipality or located outside of such corporate limits but within three miles thereof.

(c) Except as provided in this section, the power and authority to control and regulate all public utilities and common carriers situated and operated wholly or principally within any city or principally operated for the benefit of such city or its people, shall be vested exclusively in such city, subject only to the right to apply for

relief to the corporation commission as provided in K.S.A. 66-133, and amendments thereto, and to the provisions of K.S.A. 66-104e, and amendments thereto. A transit system principally engaged in rendering local transportation service in and between contiguous cities in this and another state by means of street railway, trolley bus and motor bus lines, or any combination thereof, shall be deemed to be a public utility as that term is used in this act and shall be subject to the jurisdiction of the commission.

(d) ~~The term "Public utility" shall~~ does not include any activity of an otherwise jurisdictional corporation, company, individual, association of persons, their trustees, lessees or receivers as to the marketing or sale of:

- (1) Compressed natural gas for end use as motor vehicle fuel; or
- (2) electricity that is purchased through a retail electric supplier in the certified territory of such retail electric supplier, as such terms are defined in K.S.A. 66-1,170, and amendments thereto, for the sole purpose of the provision of electric vehicle charging service to end users.

(e) (1) Except as provided in paragraph (2), at the option of an otherwise jurisdictional entity, ~~the term "public utility" shall~~ does not include any activity or facility of such entity as to the generation, marketing and sale of electricity generated by an electric generation facility or addition to an electric generation facility that:

- (A) Is newly constructed and placed in service on or after January 1, 2001; and
  - (B) is not in the rate base of:
    - (i) An electric public utility that is subject to rate regulation by the state corporation commission;
    - (ii) any cooperative, as defined by K.S.A. 17-4603, and amendments thereto, or any nonstock member-owned cooperative corporation incorporated in this state; or
    - (iii) a municipally owned or operated electric utility.
- (2) The provisions of this subsection shall not be construed to affect the authority of the state corporation commission to regulate any activity or facility of an otherwise jurisdictional entity with regard to wire stringing pursuant to K.S.A. 66-183 et seq., and amendments thereto.

(f) Additional generating capacity achieved through efficiency gains by refurbishing or replacing existing equipment at generating facilities placed in service before January 1, 2001, shall not qualify under subsection (e).

(g) For purposes of the authority to appropriate property through eminent domain, ~~the term "public utility" shall~~ does not include any activity for the siting or placement of:

- (1) Wind powered electrical generators or turbines, including the towers; or
- (2) solar powered electric generation equipment, including panels.;

Also on page 6, in line 25, by striking "66-1239" and inserting "66-104";

On page 1, in the title, in line 1, by striking all after "to"; by striking all in lines 2 through 12; in line 13, by striking "facilities" and inserting "eminent domain; prohibiting public utilities from exercising eminent domain for the siting or placement of solar powered generation facilities"; also in line 13, by striking "66-1239" and inserting "66-104";

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

LEO DELPERDANG  
CARL TURNER  
KC OHAEBOSIM

*Conferees on part of House*

MICHAEL FAGG  
MIKE PETERSEN  
MARCI FRANCISCO

*Conferees on part of Senate*

On motion of Rep. Delperdang, the conference committee report on **SB 455** was adopted.

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, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglund, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoë, Schreiber, Seiwert, Smith, A., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, 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: Houser, Penn, Smith, C., Thomas.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2618** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

MIKE THOMPSON  
RICK KLOOS  
OLETHA FAUST-GOUDEAU

*Conferees on part of Senate*

PAT PROCTOR  
PAUL WAGGONER

*Conferees on part of House*

On motion of Rep. Proctor the conference committee report on **HB 2618** to agree to disagree, was adopted.

Carpenter thereupon appointed Speaker Proctor, Waggoner and Woodard as second conferees on the part of the House.

On motion of Rep. Croft, the House recessed until 5:00 p.m.

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#### AFTERNOON SESSION

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

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **Sub Bill for SB 387**, and has appointed Senators Baumgardner, Erickson and Sykes as Second conferees on the part of the Senate.

The Senate announced the appointment of Senators Tyson, Peck and Holland to replace Senators Petersen, Kloos and Corson as senate conferees on **SB 410**.

The Senate announced the appointment of Senators Tyson, Peck and Holland to replace Senators Longbine, Fagg and Holscher as senate conferees on **HB 2096**.

The Senate announced the appointment of Senators Tyson, Peck and Holland to replace Senators Longbine, Fagg and Holscher as senate conferees on **HB 2098**.

The Senate not adopts the Conference Committee report on **SB 142**, requests a conference and appoints Senators Petersen, Kloos and Corson as Second conferees on the part of the Senate.

The Senate adopts the Conference Committee report on **HB 2481**.

The Senate adopts the Conference Committee report on **HB 2527**.

The Senate adopts the Conference Committee report on **HB 2588**.

#### INTRODUCTION OF ORIGINAL MOTIONS

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

Speaker Hawkins thereupon appointed Reps. Francis, Neelly and Ballard as second conferees on the part of the House.

On motion of Rep. Croft, the House recessed until 5:15 p.m.

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#### LATE AFTERNOON SESSION

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

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 359** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on

conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 11, following line 22, by inserting:

"New Sec. 8. (a) On and after January 1, 2025, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one first city of Kansas license plate for each such passenger vehicle or truck. Such license plate shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The Leavenworth county historical society may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee may apply annually to the Leavenworth county historical society for use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 to the Leavenworth county historical society as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) The Leavenworth county historical society, which shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a first city of Kansas license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or sent by the Leavenworth county historical society, or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license



plate to the county treasurer of such person's residence.

(g) The Leavenworth county historical society shall provide to all county treasurers an electronic mail address where applicants can contact the Leavenworth county historical society for information concerning the application process or the status of such applicant's license plate application.

(h) The Leavenworth county historical society, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the first city of Kansas license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type, to the Leavenworth county historical society and the state treasurer.

(j) The collection and remittance of annual royalty payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto.

New Sec. 9. (a) Any license plate design that has not been approved for production and issuance by the division of vehicles by July 1, 2024, shall designate the county of registration for the motor vehicle that will bear such license plate. The director of vehicles may either print the horizontal abbreviation of the county of registration directly on the license plate or affix to the license plate by a decal the abbreviation of the county of registration. Except as otherwise provided in subsection (b), the provisions of this section shall apply to:

(1) Any passenger vehicle or truck as defined in K.S.A. 8-126, and amendments thereto, that is subject to taxation pursuant to K.S.A. 79-5101 et seq., and amendments thereto; or

(2) any vehicle that displays a distinctive or personalized license plate.

(b) The provisions of this section shall not apply to distinctive license plates designating a person as a recipient of the congressional medal of honor issued pursuant to K.S.A. 8-1,145, and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking "and" and inserting a comma; in line 6, before the semicolon by inserting "and the first city of Kansas license plate; requiring certain license plates to have the county of registration for the motor vehicle identified on the license plate";

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

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

*Conferees on part of House*

MIKE PETERSEN

RICK KLOOS

ETHAN CORSON

*Conferees on part of Senate*

On motion of Rep. Francis, the conference committee report on **SB 359** was adopted.

On roll call, the vote was: Yeas 101; Nays 19; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Amyx, Anderson, Ballard, Bergquist, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Essex, Estes, Fairchild, Featherston, Francis, Garber, Goddard, Haskins, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Howe, Howell, Howerton, Hoyer, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, V., Minnix, Moser, Murphy, Neely, Neighbor, Ohaebosim, Osman, Ousley, Owens, Pickert, Poskin, Probst, Proctor, Rahjes, Rhiley, Robinson, Roth, Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoee, Schreiber, Seiwert, Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Williams, L., Winn, Xu, Younger.

Nays: Awerkamp, Barth, Bergkamp, Blew, Carmichael, W. Carpenter, Carr, Gardner, Goetz, Haswood, Highberger, Hougland, Miller, S., Oropeza, Resman, Ruiz, L., Smith, A., Smith, E., Woodard.

Present but not voting: None.

Absent or not voting: Eplee, Houser, Penn, Poetter, Smith, C..

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2481** 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 amendments, as follows:

On page 1, following line 29, by inserting:

"New Sec. 4. The portion of United States highway 69 from the junction of United States highway 69 and grand road in Bourbon county, then south on United States highway 69 to the junction of United States highway 69 and east 650<sup>th</sup> avenue in Crawford county is hereby designated as the Ken W Brock memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the Ken W Brock memorial highway.

New Sec. 5. The portion of United States highway 81 where it enters the state on the Kansas-Nebraska line, then south on United States highway 81 to the southern border of Republic county is hereby designated as the Merle Miller memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the Merle Miller memorial highway.

New Sec. 6. The portion of United States highway 281 from the southern city limits of Russell, then north to its junction with K-18 highway in Russell county is hereby designated as the first responders memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs along the highway right-of-way at proper intervals to indicate that the highway is

the first responders memorial highway.

New Sec. 7. The Atchison, Topeka and Santa Fe #3415 Pacific class 4-6-2, built in 1919, is hereby designated as the official steam locomotive of the state of Kansas.

New Sec. 8. The Abilene & Smoky Valley Railroad is hereby designated as the official heritage railroad of the state of Kansas.

Sec. 9. K.S.A. 68-1011 is hereby amended to read as follows: 68-1011. The portion of United States highway ~~no. 281~~ traversing this state where it crosses the Nebraska-Kansas boundary line on the north to the junction of United States highway 281 and K-18 highway, then from the southern city limits of Russell to the point where it leaves the state on the south at the Kansas-Oklahoma boundary line, be and it is hereby designated as "the American Legion memorial highway" in the state of Kansas.

Sec. 10. K.S.A. 68-1036 is hereby amended to read as follows: 68-1036. The portion of United States highway 81 ~~where it enters the state on the Kansas-Nebraska line on the north thence south from the northern border of Cloud county, then south on United States highway 81~~ to the junction of interstate highway I-70 is hereby designated the Frank Carlson memorial highway. The secretary of transportation shall place suitable signs along the highway right-of-way at proper intervals to indicate the highway is the Frank Carlson memorial highway. The secretary of transportation may accept and administer gifts and donations to aid in obtaining suitable highway signs.";

On page 2, in line 6, after "K.S.A." by inserting "68-1011, 68-1036 and"; also in line 6, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "roads and highways" and inserting "transportation; relating to commemorative designations"; in line 5, after the semicolon by inserting "designating a portion of United States highway 69 as the Ken W Brock memorial highway; designating a portion of United States highway 81 as the Merle Miller memorial highway; designating a portion of United States highway 281 as the first responders memorial highway; redesignating a current portion of the American Legion memorial highway for United States highway 281; redesignating a current portion of the Frank Carlson memorial highway for United States highway 81; designating the Atchison, Topeka and Santa Fe #3415 as the official state steam locomotive and the Abilene & Smoky Valley Railroad as the official state heritage railroad;"; also in line 5, after "K.S.A." by inserting "68-1011, 68-1036 and"; in line 6, by striking "section" and inserting "sections";

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

MIKE PETERSEN

RICK KLOOS

ETHAN CORSON

*Conferees on part of Senate*

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

*Conferees on part of House*

On motion of Rep. Francis, the conference committee report on **HB 2481** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, 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, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, E., Stiens, 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: Eplee, Houser, Penn, Poetter, Smith, C..

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2527** 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 amendments, as follows:

On page 11, in line 39, after "(4)" by inserting "For requests by a public utility for a determination of ratemaking principles and treatment relating to the abandonment or retirement of a nuclear powered or fossil fuel-fired electric generating unit, the commission shall not approve the abandonment or retirement of such electric generating unit, authorize a surcharge or issuance of bonds for the decommissioning of such electric generating unit or take any other action that authorizes or allows for the recovery of costs for the retirement of such electric generating unit, including stranded asset recovery, unless:

(A) The utility demonstrates that the public utility will be able to meet current and reasonably-anticipated future resource adequacy requirements of the regional transmission organization or independent system operator; and

(B) the abandonment or retirement is not expected to harm the utility's customers or decrease the utility's regional rate competitiveness by causing the utility to experience higher costs than would be expected by continuing to operate such electric generating unit in compliance with applicable law, unless, consistent with the integrated resource planning framework utilized by the commission, the commission determines that such higher costs are justified by other factors that are specified by the commission. The utility shall provide the commission with evidence of all known direct and indirect costs of abandonment or retirement of the electric generating unit and demonstrate that cost savings or avoided or mitigated cost increases to customers will occur as a result of the abandonment or retirement of the electric generating unit.

(5)";

On page 12, in line 3, by striking "(5)" and inserting "(6)";

On page 13, in line 26, by striking "(6)" and inserting "(7)"; in line 31, by striking "(7)" and inserting "(8)";

On page 15, following line 2, by inserting:

"(h) For nuclear powered and coal-fired electric generating facilities, if determined by the commission to be just, reasonable and necessary for the provision of sufficient and efficient service, an electric public utility shall be permitted to:

- (1) Retain such facilities in such utility's rate base;
- (2) recover expenses associated with the operation of such facilities that remain in service to provide greater certainty that generating capacity will be available to provide essential service to customers, including during extreme weather events; and
- (3) recover any portion of such utility's rate base and prudently incurred expenses necessary for such facilities:

(A) To operate at a low-capacity factor; or

(B) that are offline during normal operating conditions and providing capacity only.

(i) The commission shall prepare and submit to the legislature by December 1 of each year an annual report based on the preceding calendar year that provides:

(1) The number of requests by utilities to retire electric generating units in the state, the nameplate capacity of each of those units and whether the request was approved or denied by the commission;

(2) the impact of any commission-approved retirement of an electric generating unit on the:

(A) Utility's and state's generation capacity by fuel type;

(B) required capacity reserve margins for the utility and the overall capacity reserve margin within the state;

(C) utility's need for capacity additions or expansions at new or existing facilities as a result of the retirement; and

(D) utility's need for additional power or capacity reserve arrangements; and

(3) whether the retirement resulted in stranded costs for ratepayers that will be recovered by the utility through securitization or some other charge on customer bills.

(j) The provisions of subsection (c)(4) shall expire on July 1, 2034.

Sec. 5. K.S.A. 66-1264 is hereby amended to read as follows: 66-1264. As used in the net metering and easy connection act:

(a) "Commission" means the state corporation commission.

(b) "Customer-generator" means the owner or operator of a net metered facility ~~which that~~:

(1) Is powered by a renewable energy resource;

(2) is located on a premises owned, operated, leased or otherwise controlled by the customer-generator;

(3) is interconnected and operates in parallel phase and synchronization with an affected utility and is in compliance with the standards established by the affected utility;

(4) is intended primarily to offset part or all of the customer-generator's own electrical energy requirements such that the customer-generator will fully consume the energy output or will deliver the remaining energy output and all other services to the utility; and

(5) ~~contains an underwriter laboratories listed~~ mechanism, approved by the utility, that automatically disables the unit and interrupts the flow of electricity back onto the ~~supplier's utility's~~ electricity lines in the event that service to the customer-generator is interrupted.

(c) "Export" means power that flows from a customer-generator's electrical system through a customer's billing meter and onto the utility's electricity lines.

(d) "Generating capacity" means the maximum amount of alternating current power that a customer generator's net metered system can produce.

~~(e) "Peak demand" shall have the meaning ascribed thereto~~ means the same as defined in K.S.A. 66-1257, and amendments thereto.

(f) "Permission to operate" means the operational date of the customer-generator's net metered facility.

~~(d)(g) "Renewable energy resources" shall have the meaning ascribed thereto~~ means the same as defined in K.S.A. 66-1257, and amendments thereto.

(h) "Supplied" means power that flows from the utility's electricity lines through a customer's billing meter and into a customer-generator's electrical system.

~~(e)(i)~~ "Utility" means investor-owned electric utility.

(j) "Witness test" means a representative of the utility is on-site to measure or verify a specific setting or operational condition.

Sec. 6. K.S.A. 66-1265 is hereby amended to read as follows: 66-1265. Each utility shall:

(a) (1) Except as provided in paragraph (2), make net metering available to customer-generators who are in good standing with the utility on a first-come, first-served basis, until the total rated generating capacity as approved by the utility of all net metered systems equals or exceeds one:

(A) Commencing July 1, 2024, percent 2% of the utility's peak demand during the previous year;

(B) commencing July 1, 2025, 3% of the utility's peak demand during the previous year;

(C) commencing July 1, 2026, 4% of the utility's peak demand during the previous year; and

(D) commencing July 1, 2027, and each year thereafter, 5% of the utility's historic highest annual peak demand since 2014.

(2) The commission may increase the total rated generating capacity of all net metered systems to an amount above one percent 5% after conducting a hearing pursuant to K.S.A. 66-101d, and amendments thereto;

(b) provide an appropriate class bidirectional meter to the customer-generator at no charge, but may charge the customer-generator for the cost of any additional metering or distribution equipment necessary to accommodate the customer-generator's facility;

(c) disclose annually the availability of the net metering program to each of its customers with the method and manner of disclosure being at the discretion of the utility;

(d) for any customer-generator ~~which that~~ began operating its renewable energy resource under an interconnect agreement with the utility prior to July 1, 2014, offer to the customer-generator a tariff or contract that is identical in electrical energy rates, rate structure and monthly charges to the contract or tariff that the customer would be assigned if the customer were not an eligible customer-generator and shall not charge

the customer-generator any additional standby, capacity, interconnection or other fee or charge that would not otherwise be charged if the customer were not an eligible customer-generator; and

(e) for any customer-generator ~~which that~~ began operating its renewable energy resource under an interconnect agreement with the utility on or after July 1, 2014, have the option to propose, within an appropriate rate proceeding, the application of time-of-use rates, minimum bills, incentive programs or other rate structures that would apply to all such customer-generators prospectively.

Sec. 7. K.S.A. 66-1266 is hereby amended to read as follows: 66-1266. (a) Prior to January 1, 2030, for any customer-generator that began operating a renewable energy resource under an interconnect agreement with the utility prior to July 1, 2014:

(1) If the electricity supplied by the utility exceeds the electricity ~~generated-exported~~ by the customer-generator during a billing period, the customer-generator shall be billed for the net electricity supplied by the utility in accordance with normal practices for customers in the same rate class.

(2) If such customer-generator ~~generates~~ exports electricity in excess of the ~~customer-generator's monthly consumption~~ electricity supplied by the utility, all such net excess ~~energy (NEG) generation~~, expressed in kilowatt-hours, shall be carried forward from month-to-month and credited at a ratio of one-to-one against the ~~customer-generator's energy consumption~~ electricity supplied by the utility, expressed in kilowatt-hours, in subsequent months.

(3) Any interconnect agreement between such customer-generator and a utility and all such ~~NEG generated net excess generation exported~~ under such agreement shall be ~~transferable~~ transferable and continue in place until January 1, 2030, regardless of whether there is a change in ownership of the property ~~on which where~~ the renewable energy resource is located.

(4) Any ~~NEG resulting net excess generation exported~~ from renewable energy resources that are installed on and after July 1, 2014, but are part of an installation of a renewable energy resource that was operating prior to July 1, 2014, shall be carried forward and credited to the customer as if such resources had begun operation prior to July 1, 2014.

(5) Any net excess generation credit remaining in a net-metering customer's account on March 31 of each year shall expire.

(b) For any customer-generator that began operating a renewable energy resource under an interconnect agreement with the utility on and after July 1, 2014:

(1) If the electricity supplied by the utility exceeds the electricity ~~generated-exported~~ by the customer-generator during a billing period, the customer-generator shall be billed for the net electricity supplied by the utility.

(2) If such customer-generator ~~generates~~ exports electricity in excess of the ~~customer-generator's monthly consumption~~ electricity supplied by the utility, all such ~~NEG net excess generation~~ remaining in such customer-generator's account at the end of each billing period shall be credited to the customer at a rate of at least 100% of the utility's monthly system average cost of energy per kilowatt hour.

(c) Except as otherwise provided in subsection (d), on and after January 1, 2030, for all customer-generators, regardless of when such customer-generators entered into an interconnect agreement with the utility:

(1) If the electricity supplied by the utility exceeds the electricity ~~generated-~~

exported by the customer-generator during a billing period, the customer-generator shall be billed for the net electricity supplied by the utility; and

(2) if such customer-generator ~~generates~~ exports electricity in excess of the ~~customer-generator's monthly consumption~~ electricity supplied by the utility, all such ~~NEG net excess generation~~ remaining in a customer-generator's account at the end of each billing period shall be credited to the customer at a rate of at least 100% of the utility's monthly system average cost of energy per kilowatt hour.

(d) For any customer-generator that began operating a renewable energy resource under an interconnect agreement with the utility on and after July 1, 2024, and receives service on an optional time-varying rate:

(1) The utility shall measure the net electrical energy exported or supplied during the billing period for each of the time of use periods established by the applicable time-varying rate schedule that applies to the customer-generator's rate class in accordance with normal metering practices for customers that take service on time-varying rates in that same rate class;

(2) electricity supplied by the utility shall be netted against the electricity exported by the customer-generator during each applicable time of use period;

(3) if the electricity supplied by the utility exceeds the electricity exported by the customer-generator during any time of use period, the customer-generator shall be billed for the net electricity supplied by the utility in each such time of use period as well as all other charges as such charges are applied to non-customer-generators in the same rate class; and

(4) if the electricity exported by the customer-generator exceeds the electricity supplied by the utility during any time of use period, the customer-generator shall be credited at a rate of at least 100% of the utility's monthly system average cost of energy per kilowatt hour, with any net credit, and net of all other charges as such charges are applied to non-customer-generators in the same rate class, applied to the next billing period.

Sec. 8. K.S.A. 66-1267 is hereby amended to read as follows: 66-1267. (a) For customer-generators that began operating a renewable energy resource under an interconnect agreement with the utility prior to July 1, 2014:

(1) Such utility shall allow:

(A) Residential customer-generators to ~~generate~~ export electricity subject to net metering up to 25 kilowatts; and

(B) commercial, industrial, school, local government, state government, federal government, agricultural and institutional customer-generators to ~~generate~~ export electricity subject to net metering up to 200 kilowatts.

(2) Nothing in this act shall be construed to prevent such customer-generators from installing additional renewable energy resources after July 1, 2014, that will generate electricity pursuant to the restrictions contained in paragraph (1).

(b) For customer-generators that begin operating a renewable energy resource under an interconnect agreement with the utility after July 1, 2014, such utility shall allow:

~~(1) All residential customer-generators to generate electricity subject to net metering up to 15 kilowatts;~~

~~(2) commercial, industrial, religious institution, local government, state government, federal government, agricultural and industrial customer-generators to~~



generate electricity subject to net metering up to 100 kilowatts, unless otherwise agreed to by the utility and the customer-generator; and

~~(3) school customer-generators to generate electricity subject to net metering up to 150 kilowatts. For the purpose of this section, "school" means any postsecondary educational institution as defined in K.S.A. 74-3201b, and amendments thereto, or any public or private school which provides instruction for students enrolled in grade kindergarten or grades one through 12 customer-generators to export electricity subject to net metering up to 150 kilowatts alternating current.~~

(c) Customer-generators shall appropriately size their ~~generation export capacity~~ to their expected load as follows:

(1) (A) (i) Divide the customer-generator's historic consumption in kilowatt-hours for the previous 12-month period by 8,760; and

(ii) divide the quotient calculated pursuant to paragraph (1)(A)(i) by a capacity factor of 0.144; or

(B) if the customer-generator does not have historic consumption data that adequately reflects the customer's consumption at such premises, the customer-generator's historic consumption for the previous 12-month period shall be 7.15 kilowatt-hours per square foot of conditioned space; and

(2) round up the quotient calculated pursuant to paragraph (1)(A)(i) or the amount determined pursuant to paragraph (1)(B) to the nearest standard size as follows:

(A) Between two kilowatts alternating current power and 20 kilowatts alternating current power, round up to the nearest two kilowatts alternating current power increment; and

(B) between 20 kilowatts alternating current power and 150 kilowatts alternating current power, round up to the nearest five kilowatts alternating current power increment.

(d) For customer-generators that operate a renewable energy resource under an interconnect agreement with the affected utility on or after January 1, 2026:

(1) The generating capacity of a customer-generator's renewable energy resource as approved by the affected utility shall not exceed export capacity by more than 50%; and

(2) energy storage capacity, including electric vehicles or other portable energy storage devices, shall not be included in any sizing formulas unless the energy storage device has the ability to add export capacity and is not part of an export limited system.

(e) For customer-generators that operate a generation resource designed to export an amount of power that differs from the system's generating capacity:

(1) The customer-generator shall own and maintain any necessary export limiting device;

(2) protections shall be in place to restrict the export limiting device settings to qualified persons;

(3) the utility shall have the option to require a witness test of the export limiting device's function or set points prior to granting permission to operate;

(4) the export capacity of the system shall not be increased without prior approval from the utility;

(5) the customer-generator shall allow the utility to perform periodic witness testing of the export limiting device's function or settings upon request;

(6) if the export limiting device's settings are incorrect or if the device fails to limit the export of power below the designed export capacity for more than 15 minutes in any

single event, the customer-generator shall cease operation of the system until repair or reprogramming of the limiting device is completed; and

(7) the utility shall not restrict the brand or model of the limiting device if the device is approved by the generator's manufacturer or is underwriter laboratories listed to perform such operations in conjunction with the customer-generator's system.";

Also on page 15, in line 3, before "K.S.A." by inserting "K.S.A. 66-1264, 66-1265, 66-1266 and 66-1267 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 19, after the semicolon by inserting "prohibiting the commission from authorizing the retirement of nuclear powered and fossil fuel-fired electric generating units unless certain requirements are met; authorizing electric public utilities to retain certain electric generating facilities in the utility's rate base; requiring the commission to report annually on public utility requests to retire electric generating units;"; in line 26, after the semicolon by inserting "revising the net metering and easy connection act; increasing the public utility system-wide capacity limit for facilities subject to net metering; requiring net metering facilities to be appropriately sized based on the customer's expected load; establishing requirements for exporting power from a net metering facility to a utility;"; in line 27, after "amending" by inserting "K.S.A. 66-1264, 66-1265, 66-1266 and 66-1267 and";

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

MICHAEL FAGG

MIKE PETERSEN

MARCI FRANCISCO

*Conferees on part of Senate*

LEO DELPERDANG

CARL TURNER

KC OHAEBOSIM

*Conferees on part of House*

On motion of Rep. Delperdang, the conference committee report on **HB 2527** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 1; Absent or not voting: 5.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, 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, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, E., Stiens, 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: Miller, V..

Absent or not voting: Eplee, Houser, Penn, Poetter, Smith, C..

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2588** 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 amendments, as follows:

On page 1, by striking all in lines 10 through 35;

By striking all on pages 2 through 6;

On page 7, by striking all in lines 1 through 7; following line 7 by inserting:

"Section 1. (a) The Kansas legislature finds and declares that:

(1) The permitting, construction, modification, maintenance and operation of telecommunications facilities are critical to ensuring that all citizens in the state have true access to broadband and other advanced technology and information;

(2) telecommunications facilities are critical to ensuring that businesses and schools throughout the state remain competitive in the global economy;

(3) telecommunications facilities that enable broadband services have a significant economic benefit; and

(4) the permitting, construction, modification, maintenance and operation of telecommunications facilities, to the extent specified in this section, are declared to be matters of statewide concern and interest.

(b) As used in this section:

(1) "Public right-of-way" means only the area of real property in which a county has a dedicated or acquired right-of-way interest in the real property. "Public right-of-way" includes the area on, below or above the present and future streets, roads, highways, parkways or boulevards dedicated or acquired as right-of-way by a county. "Public right-of-way" does not include:

(A) The airwaves above a "public right-of-way" with respect to wireless telecommunications or other non-wire telecommunications or broadcast services;

(B) easements obtained by utilities or private easements; or

(C) any real property, structures or facilities under the ownership, control or jurisdiction of the secretary of transportation.

(2) "Provider" means a local exchange carrier or telecommunications carrier as such terms are defined in K.S.A. 66-1,187 and amendments thereto, or a video service provider as defined in K.S.A. 12-2022, and amendments thereto. "Provider" does not include an applicant as defined in K.S.A. 66-2019, and amendments thereto.

(c) Without abrogating any rights held by a video service provider pursuant to a state-issued video service authorization, any provider shall have the right pursuant to this section to construct, maintain and operate poles, conduit, cable, switches and

related appurtenances and facilities along, across, upon and under any public right-of-way in this state. Such poles, conduit, cable, switches and related appurtenances and facilities shall be so constructed and maintained as not to obstruct or hinder the usual travel or public safety on such public ways or the legal use by other utilities or providers.

(d) A county shall impose any and all public right-of-way access and permit processes in a nondiscriminatory and competitively neutral manner to all similarly situated providers, including, but not limited to:

- (1) The permit fees charged by the county;
- (2) the forms and filings required by the county for a permit application;
- (3) the time with which a county may approve or deny a permit; and
- (4) options for waivers regarding such permit fees, forms and filings.

(e) No county shall create, enact or erect any discriminatory, unreasonable condition, requirement or barrier for entry into or use of the public right-of-way by a provider.

(f) A county may only assess the following non-discriminatory and competitively neutral fees against a provider, for the administration and orderly use of the public right-of-way, provided that such fees reimburse the county for the county's reasonable, actual and verifiable costs of managing the public right-of-way:

(1) A construction permit fee charged in connection with issuing a construction permit to set fixtures in the public right-of-way that compensates the county for the reasonable administrative expenses incurred by the county for issuing, processing and verifying the permit application;

(2) an excavation permit fee for each pavement cut to recover the direct and reasonable costs associated with construction and repair activity of the provider. Any excavation permit fee imposed by the county shall be based upon a regional specific or other appropriate study establishing the basis for such costs that takes into account the life of the county road or highway prior to the construction or repair activity and the remaining life of the road or highway. Such excavation permit fee shall be expressly limited to the proportion of the cost attributable to the activity of the provider that results in an actual pavement cut; and

(3) inspection fees to recover all reasonable costs associated with a county's inspection of the work of the provider in the right-of-way.

(g) A county shall authorize any video service provider as defined in K.S.A. 12-2022, and amendments thereto, to offset any fees and charges imposed pursuant to this section against payment of any video service provider fee imposed pursuant to K.S.A. 12-2024, and amendments thereto.

(h) A county may assess against a provider costs associated with repairing and restoring the public right-of-way because of damage caused by the provider, its assigns, contractors or subcontractors, or both, in the public right-of-way. A county may require a provider to furnish a performance bond, in a form acceptable to the county, from a surety licensed to conduct surety business in the state of Kansas, to ensure appropriate

and timely performance in the construction and maintenance of facilities located in the public right-of-way.

(i) A county may not assess any additional fees or costs against providers for use or occupancy of the public right-of-way other than those specified in this section. Any fees or costs imposed pursuant to this section shall be imposed upon all such providers in a nondiscriminatory and competitively neutral manner.

(j) Upon request by a provider, a county shall, in a timely manner, provide an accounting for the reasonable, actual and verifiable costs that are the basis for any fee permitted in subsection (f).

(k) This section may not be construed to affect any valid taxation of a provider's facilities or services.

(l) Any ordinance enacted prior to the effective date of this act governing the use and occupancy of the public right-of-way by a provider shall not conflict with the provisions of this section.

(m) No provider shall enter into a contract or any other agreement with a county to sell or provide a product or service that the provider's business does not actually sell or provide.

(n) Any county or provider may bring an action in a court of competent jurisdiction to enforce the provisions of this act.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 6; in line 7, by striking all before the period and inserting "counties; relating to the public right-of-way; authorizing telecommunication, broadband and video service providers to operate in county public right-of-way; limiting the fees and costs that a county may impose upon such providers for such activities";

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

MICHAEL FAGG

MIKE PETERSEN

MARCI FRANCISCO

*Conferees on part of Senate*

LEO DELPERDANG

CARL TURNER

KC OHAEBOSIM

*Conferees on part of House*

On motion of Rep. Delperdang, the conference committee report on **HB 2588** was adopted.

On roll call, the vote was: Yeas 113; Nays 7; Present but not voting: 0; Absent or not voting: 5.

Yeas: Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman,

Hoheisel, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Osman, Owens, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoie, Schreiber, Seiwert, Smith, A., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Williams, L., Winn, Woodard, Xu, Younger.

Nays: Alcala, Carr, Hougland, Martinez, Oropeza, Ousley, Ruiz, L..

Present but not voting: None.

Absent or not voting: Eplee, Houser, Penn, Poetter, Smith, C..

### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Rahjes, the House concurred in Senate amendments to **HB 2607**, AN ACT concerning agriculture; relating to the Kansas department of agriculture; the Kansas pesticide law; the Kansas chemigation safety law; requiring supervision and training for uncertified applicators; clarifying definition of governmental agency; requiring applicants to file certificates of liability insurance or surety bonds in lieu of letters of credit or proof of an escrow; government agency certification for pesticide applications in the sodium cyanide predator control category; requiring direct supervision of registered pest control technicians by a certified commercial applicator when applying restricted use pesticides; expanding applicability of civil penalty provisions to any person or entity that violates the Kansas pesticide law; adding additional categories of qualification for certification and licensing; updating private applicator certificate requirements; allowing the secretary to establish a training program for initial certification of private applicators as an alternative to a written examination; requiring additional information in statements of service or contracts; government agencies to maintain records relating to each application of pesticide made by such government agency; applying the same criminal penalty to certified private applicators as other persons for violations of the Kansas pesticide law; removing the secretary's authority to deny, suspend, revoke or modify a permit if an applicant, registrant or permit holder has been convicted or pled guilty to a state or federal felony; amending K.S.A. 2-2438a, 2-2440, 2-2440b, 2-2440e, 2-2443a, 2-2444a, 2-2445a, 2-2446, 2-2448, 2-2449, 2-2450, 2-2455, 2-2461, 2-2467a and 2-3310 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 118; Nays 2; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Essex, Estes, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Howe, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Pickert, Poskin, Probst, Proctor, Rahjes, Resman,

Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoie, Schreiber, Seiwert, Smith, A., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Williams, L., Winn, Woodard, Xu, Younger.

Nays: Fairchild, Jacobs.

Present but not voting: None.

Absent or not voting: Eplee, Houser, Penn, Poetter, Smith, C..

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

**S Sub HB 2436** reported correctly re-engrossed April 2, 2024.

**HB 2358, HB 2690** reported correctly re-engrossed April 3, 2024.

On motion of Rep. Croft, the House adjourned until 10:00 a.m., Thursday, April 4, 2024.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

