

Journal of the House

TWENTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 14, 2024, 11:00 a.m.

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

The roll was called with 111 members present.

Reps. Donohoe, Highberger and Schlingensiepen were excused on verified illness.

Reps. Garber, Hoye, Meyer, Moser, Ousley, Poskin, Turk, Vaughn, L. Williams, Woodard and Xu were excused on excused absence by the Speaker.

Prayer by Chaplain Holmes:

Good Morning Father; Today is one of those days which serves to remind us to never forget those we love. I pray cards, notes, flowers, candy and other expressions of our appreciation for our loved ones would abound.

I want to also thank You for the reminder You sent to us about what real, authentic love looks like. Your Word records: "If I speak with the tongues of men and angels, but do not love, I have become a noisy gong or a clanging cymbal. Love is patient, love is kind, and is not jealous; love does not brag and is not arrogant, does not act unbecomingly; it does not seek its own, is not easily provoked, does not take into account a wrong suffered, does not rejoice in unrighteousness, but rejoices with the truth, bears all things, believes all things, hopes all things, endures all things. Love never fails."

Now Lord, I have to admit, that is a pretty tall order! And yet, as tall as it may be, help me to embrace it. And Lord, would You be so kind as to send people into my life which embraces it also.

This is one of those decision-making days for our governing body. As debate occurs, might I keep the lesson of love before me. Allow me to be patient and kind, even when - it is not warranted or expected. And, if dissension should arise, keep me from being easily provoked.

I love my country today, even though, at times it seems to be flowing in a direction I do not agree with nor condone. Help me to always rejoice with the truth of which this great Nation was founded upon. And remind me if You would, Love never fails. Help me to be a living example of Your real and authentic love.

In Jesus Name I pray. Amen.

The Pledge of Allegiance was led by Rep. Buehler.

INTRODUCTION OF GUESTS

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

Today, I have the distinct honor and privilege to rise before the body to recognize the achievement of some outstanding athletes and coaches at Hayden High School here in Topeka. This past fall, Hayden High School won the 2023 4A Girls State Golf Championship finishing 37 shots ahead of second-place Wamego. Joining me today on the House floor are: Hannah Reynoldson, Kyleigh Johnson, Avery Grunert, Addyson Baer, Lauren Borjon, Izzy Glotzbach, Coach Reynoldson and Coach Duncan.

Hayden as a team took home its 6th state championship in school history. Ladies you achieved the highest honors in high school golf. In addition, Hannah Reynoldson, Lauren Borjon and Izzy Glotzbach all earned all-Shawnee county first-team recognition. Avery Grunert earned all-Shawnee county second-team recognition.

Lady Wildcats, you have represented yourselves, your families, your school, and the great state of Kansas with distinction in achieving this most outstanding accomplishment.

On behalf of the Kansas House of Representatives, I offer a sincere congratulations and extend our very best wishes for this memorable achievement. You make us all very proud! Please join me in congratulating and recognizing this outstanding group of athletes and their coaches.

Rep. Borjon presented the team with a framed House certificate in honor of their achievements.

INTRODUCTION OF GUESTS

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

Today, I would like to recognize the “Wyandotte Angels.”

The founder, Jalynda Poncin and a few of her Angels, Marilyn Poncin, Diane Poncin, Melissa Nead, Angela McClure, Marilyn McClure, Rocki Mayes, Vicky Marquez, Fernando Marquez and Martin Cervantes, Jr. are here with me today.

The “Wyandotte Angels” was founded August 31, 2020, by Jalynda Poncin to help people in need in our community providing food, diapers, clothing, furniture and more to help those in need.

Initially, Jalynda hoped for two helpers – now there are over 4,000 “Wyandotte Angels” worldwide, serving thousands all with no “real funding,” only people in our community opening their wallets to help and do more.

So, today the State Legislature recognizes the “The Wyandotte Angels.”

Rep. Melton presented her guests with a framed House certificate in honor of their accomplishments.

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 “Lowriding 2 Success,” an incentive-based program designed to help Wyandotte County youth REIMAGINE their lives through building bikes, mentorship, life skills and guidance, while building their self-worth.

This program has been the dream, vision, and calling of Mr. Cervantes, or “Mr. C” as he is known to the to the kids, to help others. Mr. Cervantes himself was given a second chance that changed the outcome of his life, and so created Lowriding 2 Success to help others reach their potential.

Lowriding 2 Success is a juvenile court referred after-school incentive program that is about so much more than building and repairing bicycles. This club involves teaching and mentoring at-risk teens in Wyandotte County. He teaches life skills, conflict resolution, critical thinking and problem solving. His goal is to help steer at-risk youth in a positive direction, helping them to graduate from high school or obtain their GED, creating a solid foundation for a successful future.

In his years of working with at-risk youth, it is evident to him that they are needed, and that a program like this is needed more than ever. He has partnered with community organizations, individuals, and businesses in Wyandotte County including: Kansas City, Kansas Police Department, Kansas City, Kansas School Police, Youth Build, Heartland 180, Full Throttle Fitness, and Metro Fitness. In order to provide a wide range of much needed services, his program also works closely with the Wyandotte County Court System, involving district court judges, community corrections and state probation officers. He cannot forget that he also relies heavily on the commitment and engagement of parents, families, mentors, therapists, drug counselors, and survivors who understand the power of supporting and believing in our at-risk youth. His program also accepts youth that are not in the criminal justice system but are looking for additional engagement.

The youth that attend Lowriding 2 Success are engaged in giving back to the community in which they reside, by working on donated bicycles, by repairing them and giving to people in need. They are encouraged to make their bed every day, which encourages positive actions and feelings. Since the program launched in March of 2023, they have operated at full capacity and had to start a waiting list. Mr. Cervantes has graduated 14 students with many more to come.

We pride this program on not just talking about what needs to be done, but are putting their words into action to create a positive ripple effect for the community. Mr. Cervantes and I are joined today by graduates Edward Cardenas, Malachi Mendez, Antonio Gonzalez; along with current participants in the program: Josemaria Castañeda, Michael Frost, Erik Diaz, Karina Perez; and Mentor, Rudy Perez.

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

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. K. Williams, Howe and Ballard are spread upon the Journal:

Rep. Howe began, today we are recognizing eight exceptional young leaders from our six state universities plus the University of Kansas Medical Center and Washburn University. Each of these leaders was elected by their student bodies to serve as Student Body President for the Spring 2023 through Spring 2024 school year. Along with the role of serving as Student Body President, these leaders also serve on the Students’ Advisory Committee, established by the Legislature in 1975, to represent students before the Kansas Board of Regents (KBOR). To serve on the advisory committee,

Statue requires the person to be the highest student executive officer elected by the student body.

These student leaders have worked closely with our Board of Regents to identify common goals and issues that impact students at our universities. Offering input, support, and collaboration creates an important connection between our Board of Regents and the students who are most impacted by their decision making.

Rep. Williams continued, today we honor the hard work, the bold leadership, and the persistent commitment to serve exemplified by our Kansas Student Body Presidents.

It is now our honor to recognize our student body presidents who also serve on the the Kansas Board of Regent's Advisory Committee and thank you to my colleagues for helping offer these awards:

- Kansas State University Student Body President and Chair of the KBOR Advisory Committee – Caleb Stout
- Pittsburg State University Student Body President and Vice Chair of the KBOR Advisory Committee – Jaben Parnell
- Fort Hays State University Student Body President – Ella Burrows
- Wichita State University Student Body President – Iris Okere
- Emporia State University Student Body President – Sophia Dawson
- Washburn University Student Body President – Antonio Martinez
- Kansas University Student Body President – Turner Seals
- Kansas University Medical Center – Mark Faber

Rep. Ballard concluded, we are extremely proud of these young men and women and their leadership at their respective universities. Body, please join us in honoring our distinguished Kansas University leaders. We thank you for your leadership and service to our great State and wish you all the best in your future endeavors.

Reps. Carlin, Ballard and Sanders presented each guest with a framed House certificate in honor of their achievements.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2801, AN ACT concerning the regulation of consumable material and electronic cigarettes; requiring manufacturers to submit certifications regarding the status of products to the director of alcoholic beverage control of the department of revenue; establishing fines and criminal penalties for violations thereto, by Committee on Federal and State Affairs.

HB 2802, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, and June 30, 2026, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-99b34, 76-775, 76-7,107, 79-2959, 79-2964, 79-2989, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2800**.

Taxation: **HB 2797, HB 2798**.

Transportation: **HB 2799**.

CHANGE OF REFERENCE

Speaker Hawkins announced the withdrawal of **HB 2739** from Committee on Financial Institutions and Pensions and re-referral to Committee on Appropriations.

Also, the withdrawal of **HB 2791, HB 2792** from Committee on Appropriations and re-referral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2381** from Committee on Appropriations and referral to Committee on Judiciary.

CONSENT CALENDAR

No objection was made to **HB 2760** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2632** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2632, AN ACT concerning the law enforcement memorial advisory committee; expanding the membership thereof; amending K.S.A. 75-2251 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 0; Present but not voting: 0; Absent or not voting: 14.

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, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Houglund, Houser, Howe, Howell, Howerton, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Murphy, Neely, Neighbor, Ohaebosim, Oropeza, Osman, Owens, Penn, Pickert, Poetter, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schmoë, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Younger.

Nays: None.

Present but not voting: None.

Absent or not voting: Donohoe, Garber, Highberger, Hoye, Meyer, Moser, Ousley, Poskin, Schlingensiepen, Turk, Vaughn, Williams, L., Woodard, Xu.

The bill passed.

Sub HB 2168, AN ACT concerning agriculture; relating to industrial hemp; reducing maximum license and registration fee amounts to \$500; amending K.S.A. 2-3906 and 2-3907 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 6; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Houglan, Houser, Howe, Howell, Howerton, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Owens, Penn, Pickert, Poetter, Probst, Proctor, Rahjes, Resman, Robinson, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schmoie, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, Williams, K., Winn, Younger.

Nays: Bloom, Ellis, Rhiley, Roth, Seiwert, White.

Present but not voting: None.

Absent or not voting: Donohoe, Garber, Highberger, Hoye, Meyer, Moser, Ousley, Poskin, Schlingensiepen, Turk, Vaughn, Williams, L., Woodard, Xu.

The substitute bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I voted "No" today on **HB 2168** amending the industrial hemp act. If hemp is a true industrial crop, farmers do not need to be licensed or pay a fee, identify land it is planted, have farm help get a background check and crop tested for THC to determine whether the field will be burned by the fire marshal. — BILL RHILEY

HB 2477, AN ACT concerning agriculture; relating to environmental remediation; increasing the maximum reimbursement from the Kansas agricultural remediation fund from \$200,000 to \$300,000 for an eligible person and from \$400,000 to \$600,000 when both a buyer and a seller or a lessee and a lessor are responsible for remediation; increasing the amount available to the Kansas agricultural remediation board for administrative overhead expenses from \$150,000 to \$175,000; amending K.S.A. 2-3708 and 2-3710 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 1; Present but not voting: 0; Absent or not voting: 14.

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, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Houglan, Houser, Howe, Howell, Howerton, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Owens, Penn, Pickert, Poetter, Probst, Proctor, Rahjes, Resman, Robinson,

Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Younger.

Nays: Rhiley.

Present but not voting: None.

Absent or not voting: Donohoe, Garber, Highberger, Hoye, Meyer, Moser, Ousley, Poskin, Schlingensiepen, Turk, Vaughn, Williams, L., Woodard, Xu.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I voted “No” today on **HB 2477** increasing fees for environment remediation from chemical, pesticide, or fumigation product clean-up and increasing overhead expenses for the board. This will increase the cost to stakeholders from the industry and increase the cost of business.—BILL RHILEY

HB 2525, AN ACT concerning the department of health and environment; relating to fees established for the regulation of wastewater treatment facilities, water wells and underground injection control wells; providing for additional sources of revenue for the water program management fund; authorizing the secretary of health and environment to establish additional fees for the regulation of underground injection control wells; amending K.S.A. 65-166b, 65-4514 and 82a-1206 and K.S.A. 2023 Supp. 55-1,117 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 24; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alcalá, Amyx, Anderson, Averkamp, Ballard, Bergkamp, Blew, Bloom, Borjon, Bryce, Butler, Carlin, Carmichael, B. Carpenter, Carr, Clifford, Collins, Concannon, Croft, Curtis, Dodson, M., Droge, Ellis, Eplee, Essex, Featherston, Francis, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hoffman, Hoheisel, Hougland, Howell, Howerton, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, McDonald, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Pickert, Probst, Proctor, Rahjes, Resman, Robinson, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Thomas, Thompson, Titus, Turner, Underhill, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Younger.

Nays: Barth, Bergquist, Blex, Buehler, W. Carpenter, Corbet, Delperdang, Estes, Fairchild, Hill, Houser, Howe, Mason, Maughan, Murphy, Owens, Penn, Poetter, Rhiley, Roth, Schmoie, Seiwert, Tarwater, Waggoner.

Present but not voting: None.

Absent or not voting: Donohoe, Garber, Highberger, Hoye, Meyer, Moser, Ousley, Poskin, Schlingensiepen, Turk, Vaughn, Williams, L., Woodard, Xu.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I voted “No” today on **HB 2525**, This bill would give authority to the Kansas Department of Health and Environment to create and collect new fees and new

regulations for Class 1 and Class 5 underground injection wells. It would also increase fees for wastewater treatment facilities. The money would be deposited into the Water fund instead of the SGF. – BILL RHILEY

HB 2583, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public morals; increasing the criminal penalty for harming or killing certain dogs and horses; requiring restitution for such crime to include veterinary medical treatment, funeral and burial expenses and replacement of such animal; amending K.S.A. 21-6416 and 21-6604 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 4; Present but not voting: 0; Absent or not voting: 14.

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, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Hougland, Houser, Howe, Howell, Howerton, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Murphy, Neelly, Neighbor, Ohaebosim, Osman, Owens, Penn, Pickert, Poetter, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, S., Sanders, Sawyer, Clayton, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Younger.

Nays: Alcalá, Carr, Oropeza, Ruiz, L..

Present but not voting: None.

Absent or not voting: Donohoe, Garber, Highberger, Hoye, Meyer, Moser, Ousley, Poskin, Schlingensiepen, Turk, Vaughn, Williams, L., Woodard, Xu.

The bill passed, as amended.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2588**, **HB 2561** be passed.

On motion of Rep. Corbet to amend **HB 2499**, the motion did not prevail and **HB 2499** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2450** be amended by substituting with a new bill to be designated as "Substitute for HOUSE BILL NO. 2450," as follows:

"Substitute for HOUSE BILL NO. 2450

By Committee on Commerce, Labor and Economic Development

"AN ACT concerning sales taxation; relating to economic development; providing a

sales tax exemption for the construction or remodeling of a qualified data center in Kansas, the purchase of data center equipment and eligible data center costs, electricity and certain labor costs to qualified firms that make a minimum investment of at least \$600,000,000 and meet new Kansas jobs and other requirements; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section.";

And the substitute bill be passed.

(Sub Bill for HB 2450 was thereupon introduced and read by title.)

Committee on **Commerce, Labor and Economic Development** recommends **HB 2483** be amended on page 1, in line 15 by striking "(c)";

On page 2, by striking all in lines 16 through 18; following line 18, by inserting:

"Sec. 2. K.S.A. 46-1137 is hereby amended to read as follows: 46-1137. (a) Under the authority of this section and the legislative post audit act, and subject to appropriations therefor, the legislative post audit committee shall direct the post auditor and the division of post audit to conduct a systematic and comprehensive review, analysis and evaluation, under the provisions of the legislative post audit act, of all new economic development incentive programs, as defined in K.S.A. 2023 Supp. 74-50,226, and amendments thereto, that provide more than \$50,000 of annual incentives from administering agencies, have not previously been audited pursuant to this section and have been recommended for review by either the house committee on commerce, labor and economic development or the senate committee on commerce, as selected by the legislative post audit committee. The evaluation procedure established by this section is intended to enhance and facilitate the ability of the legislature to fulfill its responsibility to evaluate and oversee economic development incentive programs. The oversight of economic development incentive programs is intended to remain with the legislature, independent of the legislative post audit committee. This section shall not be construed to limit, in any way, oversight of economic development incentive programs to the legislative post audit committee.

(b) The evaluations shall be considered within the meaning of the term audit for purposes of the legislative post audit act and shall be conducted by the post auditor and the division of legislative post audit pursuant to a schedule developed by the legislative post audit committee, such that ~~all economic development incentive programs shall be reviewed every three years, and~~ new economic development incentive programs described in subsection (a) shall be reviewed the year two years after the program commences; ~~and then every three years thereafter, subject to subsection (c), not later than the third year after the program commences.~~

(c) ~~The timing and extent of the evaluations may be subject to adjustment by the legislative post audit committee in a manner consistent with the requirements intent of this section as if necessary to conform with resources available to the post auditor in consideration of the demands of other duties under the legislative post audit act.~~

~~(e)~~(d) In conducting such evaluations, the post auditor and the division of post audit shall have access to all books, accounts, records, files, documents and correspondence, confidential or otherwise, to the same extent permitted under K.S.A. 46-1106(e), and amendments thereto, and shall be subject to the same duty of confidentiality as provided by the legislative post audit act.

~~(d)~~(e) Evaluations shall be conducted with the goal of enabling evidence-based policy determinations by the legislature with respect to economic development incentive programs. To the extent reasonably possible, evaluations shall utilize direct

and documented evidence and primary-source instead of secondary source data. An evaluation shall include, as directed by the post audit committee:

(1) A description of the economic development incentive program, its history and its goals;

(2) a literature review of the effectiveness of this type of incentive program, including an inventory of similar incentive programs in other states;

(3) an estimate of the economic and fiscal impact of the incentive program;

This estimate may take into account the following considerations in addition to other relevant factors:

(A) The extent to which the incentive program changes business behavior;

(B) the results of the incentive program for the economy of Kansas as a whole, including both positive direct and indirect impacts and any negative effects on other Kansas businesses;

(C) a comparison with the results of other incentive programs or other economic development strategies with similar goals;

(D) an assessment of whether protections are in place to ensure that the fiscal impact of the incentive program does not substantially increase beyond the state's means or expectations in future years;

(E) an assessment of the incentive program's design and whether the incentive program is being effectively administered in accordance with the program's enacting statute or statutes;

(F) an assessment of whether the incentive program is achieving its goals;

(G) recommendations for any changes to state policy, rules and regulations or statutes that would allow the incentive program to be more easily or conclusively evaluated in the future. These recommendations may include changes to collection, reporting and sharing of data, and revisions or clarifications to the goals of the incentive program;

(H) a return on investment calculation for the economic development incentive program. For purposes of this paragraph, "return on investment calculation" means analyzing the cost to the state or political subdivision for providing the economic development incentive program and analyzing the benefits realized by the state or political subdivision from providing the economic development incentive program;

(I) the methodology and assumptions used in carrying out the reviews, analyses and evaluations required under this subsection, including an analysis of multiplier effects and a critique of the multiplier effect determination methodologies utilized in the evaluation report, including any determinations made using standard industry software models, and any respective limitations or potential effects of such methods on outcomes; and

(J) an analysis of significant opportunity costs of the incentive program at the state and local level;

(4) any other information that the legislative post audit committee deems necessary to assess the effectiveness of the incentive program and whether it is achieving the goals of the incentive program; and

(5) all information, after redaction, as necessary, by the post auditor to remove information confidential under state or federal law, required for publication pursuant to K.S.A. 2023 Supp. 74-50,227, and amendments thereto, with respect to the economic development incentive program being evaluated.

~~(e)~~(f) The post auditor shall prepare and submit a written report with respect to each evaluation to the legislative post audit committee as provided by the legislative post audit act and, in addition, shall prepare and provide any redacted information, with respect to the economic incentive program evaluated, required for publication by the secretary of commerce pursuant to K.S.A. 2023 Supp. 74-50,227, and amendments thereto, to the secretary of commerce if such information is not otherwise available to the secretary of commerce.

~~(f)~~(g) This section shall be a part of and supplemental to the legislative post audit act.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking the comma and inserting "and"; in line 4, by striking "certain" and inserting "limiting recurring"; in line 5, after "audits" by inserting "to new programs providing more than \$50,000 of annual incentives that have not previously been audited and have been recommended for review by the house or senate commerce committees"; also in line 5, after "and" by inserting "46-1137 and"; in line 6, by striking "section" and inserting "sections"; also in line 6, by striking "and 46-1137"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2665**, **HB 2666** be passed.

Committee on **Education** recommends **HB 2613** be passed.

Committee on **Elections** recommends **HB 2603** be amended on page 1, in line 10, after the second comma by inserting "and has had a candidate in at least one congressional race or statewide race in the last even-year general election";

On page 2, in line 7, by striking "shall" and inserting "may"; also in line 7, after "days" by inserting ", if needed,"; in line 8, after "days" by inserting ", if needed,";

On page 3, in line 29, by striking all after "(4)"; in line 30, by striking "(5)";

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

On page 4, following line 20, by inserting:

"(f) Nothing in this act shall give the board the power to overturn any election.";

And the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2746** be passed.

Committee on **Health and Human Services** recommends **HB 2484** be amended on page 24, following line 14, by inserting:

"New Sec. 2. (a) (1) Except as provided in paragraph (2), the board shall require an applicant for initial licensure or renewal or reinstatement of a license under this act to submit to a state and national criminal history record check.

(2) The board may require an applicant for renewal of a license to submit to a state and national criminal history record check if such applicant has submitted to a state and national criminal history record check within the last five years.

(3) Applicants for a multistate license shall be fingerprinted, and the board shall submit such fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a search of the state and federal database.

(4) Fingerprints and criminal history record information provided pursuant to this section may be used to identify a person and to determine whether such person has a

record of criminal history in this state or another jurisdiction. The board may use the information obtained from fingerprinting and the criminal history record check for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the person to be issued or maintain a license or multistate practice privilege under the social work compact.

(5) The Kansas bureau of investigation shall release criminal history record information related to adult convictions to the board for a licensee, as defined in this section, in connection with an application or license as described in K.S.A. 65-6306, and amendments thereto.

(b) Local and state law enforcement officers and agencies shall assist the board in the taking and processing of fingerprints of applicants for multistate licensure and release all records of adult convictions to the board for the purposes set forth in subsection (a)(4).

(c) The Kansas bureau of investigation may charge a reasonable fee for conducting a criminal history record check.

(d) (1) Fingerprints and criminal history record information received pursuant to this section shall be confidential and shall not be subject to the provisions of the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this paragraph shall expire on July 1, 2029, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2029.

(2) Disclosure or use of any information received pursuant to this section for any purpose other than the purpose described in this section shall be a class A nonperson misdemeanor and shall constitute grounds for removal from office.

(e) As used in this section, "licensee" means a person who has submitted an original application or an application for renewal or reinstatement of a license or who currently holds a license under this act issued by the behavioral sciences regulatory board.

(f) This section shall be a part of and supplemental to the social workers licensure act.";

Also on page 24, in line 23, by striking all after "(3)"; by striking all in lines 24 and 25; in line 26, by striking "(4)"; by striking all in lines 28 and 29; by striking all in lines 32 and 33;

On page 25, following line 14, by inserting:

"(12) New license or renewal fee for a home-state license with privilege to practice under the social work licensure compact shall be not more than \$25 in addition to any other applicable fee.";

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

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "requiring applicants for social work licensure to submit to a criminal history record check;"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2750** be amended on page 1, in line 25, by striking all after "means"; by striking all in lines 26 through 28; in

line 29, by striking all before the period and inserting "chlamydia, gonorrhea or trichomoniasis"; in line 34, after the period by inserting "Such healthcare provider shall document the name and date of birth of the patient's sexual partner, if available.";

On page 2, by striking all in lines 8 through 10; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2533** be amended on page 1, in line 14, by striking the second "a" and inserting "an average and";

On page 2, in line 6, after "all" by inserting "average and"; in line 7, by striking "a"; in line 8, before "reasonable" by inserting "an average and";

On page 3, following line 22, by inserting:

"(e) As used in this section, "average and reasonable" relates to the amounts or fees that are comparable to fees assessed by other persons who have rendered similar services in the area where the examination occurred."; and the bill be passed as amended.

Committee on **Veterans and Military** recommends **HB 2758** be amended on page 18, in line 34, by striking "branch" and inserting "component"; in line 37, by striking "defined" and inserting "provided"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker Hawkins announced the appointment of Rep. McDonald to replace Rep. Xu on Committee on Agriculture and Natural Resources February 14, 2024.

Also, the appointment of Rep. Neighbor to replace Rep. Vaughn on Committee on Health and Human Services February 14 and 15, 2024.

Also, the appointment of Rep. Hougland to replace Rep. Schlingensiepen on Committee on Energy, Utilities and Telecommunications on February 15, 2024.

Also, the appointment of Rep. Winn to replace Rep. Schlingensiepen on Committee on Corrections Feb 14 and 15, 2024.

Also, the appointment of Rep. V. Miller to replace Rep. Vaughn on Committee on Judiciary February 14, 2024.

Also, the appointment of Rep. Howerton to replace Rep. L. Williams on Committee on Energy, Utilities and Telecommunications on February 15, 2024.

REPORT ON ENGROSSED BILLS

HB 2525, HB 2583 reported correctly engrossed February 13, 2024.

On motion of Rep. Croft, the House adjourned until 11:00 a.m., Thursday, February 15, 2024.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

