

Journal of the House

SIXTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 1, 2022, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2576, AN ACT concerning governmental ethics; extending the time frame for hearings before the governmental ethics commission; allowing federal officials access to commission investigations; amending K.S.A. 46-255, 46-256, 46-259, 46-265 and 46-280 and repealing the existing sections, by Committee on Elections.

HB 2577, AN ACT concerning campaign finance; extending the time frame for governmental ethics commission hearings; allowing federal officials access to governmental ethics commission investigations; amending K.S.A. 25-4148, 25-4156, 25-4161, 25-4165 and 25-4174 and repealing the existing sections, by Committee on Elections.

HB 2578, AN ACT concerning elections; relating to petitions; recognition of political parties; lowering the signature requirement for such recognition; amending K.S.A. 25-302a and 25-3602 and repealing the existing sections, by Committee on Elections.

HB 2579, AN ACT concerning campaign finance; requiring electronic filing of reports for state offices; amending K.S.A. 25-4148 and repealing the existing section, by Committee on Elections.

HB 2580, AN ACT concerning law enforcement; relating to the Kansas commission on peace officers' standards and training; certification of law enforcement officers; authorizing legislative service to count toward continuing law enforcement education or training; amending K.S.A. 74-5607a and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2581, AN ACT concerning the Kansas offender registration act; relating to relief from registration; violation of act; decreasing criminal penalties; providing for waiver of fees by the court; obstructing apprehension or prosecution; reducing required locations; information required to register; eliminating registration for certain juvenile offenders; amending K.S.A. 74-7335 and K.S.A. 2021 Supp. 21-6614, 21-6804, 22-4902, 22-4903, 22-4904, 22-4905, 22-4906, 22-4907, 22-4908 and 22-4909 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2582, AN ACT concerning children and minors; relating to the Kansas department for children and families; clarifying information exchange in investigations of child abuse between the department and law enforcement agencies; directing the department to release certain information to law enforcement agencies; amending

K.S.A. 38-2210, 38-2211 and 38-2212 and repealing the existing sections, by Committee on Children and Seniors.

HB 2583, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; providing for an annual cost-of-living adjustment for retirants upon the occurrence of certain annual investment returns and consumer price index increases as certified by the board or executive director as designated by the board, by Committee on Insurance and Pensions.

HB 2584, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; providing a cost-of-living adjustment for certain retirants, by Committee on Insurance and Pensions.

HB 2585, AN ACT concerning elections; relating to advanced voting ballots; requiring the return of such ballots by 7 p.m. on the day of the election; amending K.S.A. 25-1132 and repealing the existing section, by Representative Esau.

HB 2586, AN ACT concerning retirement and pensions; enacting the Kansas work and save program act; providing for administrative powers, duties and responsibilities of the state treasurer regarding such program; granting rules and regulations authority; allowing certain individuals to contribute to individual retirement accounts; prescribing requirements, limitations and responsibilities for eligible employees and employers relating to such individual retirement accounts; establishing the Kansas work and save administrative fund in the state treasury, by Committee on Insurance and Pensions.

HB 2587, AN ACT concerning health and healthcare; relating to the school sports head injury prevention act; requiring schools to establish concussion management teams; standards of care protocols; required biennial education; amending K.S.A. 72-7119 and repealing the existing section, by Committee on Health and Human Services.

HB 2588, AN ACT making and concerning appropriations for fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, 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. 2021 Supp. 2-223, 12-1775a, 12-5256, 17-12a601, 72-5462, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 and repealing the existing sections, by Committee on Appropriations.

HB 2589, AN ACT making null and void the approval by the state finance council for the renovation of building No. 3, Docking state office building, pursuant to state finance council resolution No. 21-740 and the authority to issue bonds for such renovation pursuant to section 61 of chapter 116 of the 2021 Session Laws of Kansas, by Committee on Appropriations.

HB 2590, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2022; repealing the authority of the state finance council to approve an expenditure request of moneys from the federal government for aid for coronavirus relief while the legislature is in session, by Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION No. **HCR 5027**—

By Representatives Bergquist, Bergkamp, Burris, W. Carpenter, Clifford, Croft, Delperdang, Donohoe, Ellis, Eplee, French, Garber, Hawkins, Helmer, Hoffman, Hoheisel, Howe, Howell, Huebert, Humphries, S. Johnson, T. Johnson, Kelly, Mason, Murphy, Neelly, Owens, F. Patton, Penn, Proehl, Resman, Rhiley, Ryckman, Sanders,

Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Turner, Waggoner, Wasinger, Waymaster and K. Williams

A CONCURRENT RESOLUTION applying to the Congress of the United States to call a convention of the states for the purpose of proposing amendments to the Constitution of the United States that impose limits on the federal government.

WHEREAS, The founders of the Constitution of the United States empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

WHEREAS, The federal government has created a crushing national debt through improper and imprudent spending; and

WHEREAS, The federal government has invaded the legitimate role of the states through the manipulative process of federal mandates, most of which are unfunded and encroach on personal civil liberties through coercion and punishment for non-compliance; and

WHEREAS, It is the solemn duty of the states to protect the liberty of our people, particularly for generations to come, by proposing amendments to the Constitution of the United States through a convention of the states under Article V for the purpose of restraining these and related abuses of power: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: The legislature of the state of Kansas hereby applies to the Congress of the United States, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government and limit the terms of office for officials of the federal government and members of the Congress of the United States; and

Be it further resolved: This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

Be it further resolved: That the Secretary of State shall send enrolled copies of this resolution to the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, to the members of the United States Senate and the United States House of Representatives from this state and to the presiding officers of each of the legislative chambers in the several states.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2570.**

Health and Human Services: **HB 2573.**

Judiciary: **HB 2574, HB 2575.**

Taxation: **HB 2571, HB 2572.**

COMMUNICATIONS FROM STATE OFFICERS

From: Lynn W. Rogers, Kansas State Treasurer; pursuant to K.S.A. 75-650(i), report of calendar year 2021 KIDS Matching Grant Program.

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

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources Budget** recommends **HB 2456** be amended on page 1, in line 5, before "The" by inserting "(a)"; following line 9, by inserting:

"(b) The secretary of wildlife and parks shall report annually to the house of representatives agriculture and natural resources budget committee, or the successor of such committee, on the number of such Kansas kids lifetime combination hunting and fishing licenses issued by the Kansas department of wildlife and parks.";

On page 1, in the title, in line 2, after "license" by inserting "; requiring an annual report from the secretary of wildlife and parks to certain legislative committees on the number of such licenses issued"; and the bill be passed as amended.

Committee on **Energy, Utilities and Telecommunications** recommends **HCR 5023** be adopted.

Committee on **Insurance and Pensions** recommends **HB 2564** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Finch announced the appointment of Rep. Finch to replace Rep. Anderson on Committee on Commerce, Labor and Economic Development on February 1, 2022.

Also, the appointment of Rep. Patton to replace Rep. Croft on Committee on Commerce, Labor and Economic Development on February 1, 2022.

Also, the appointment of Rep. Probst to replace Rep. Woodard on Committee on Higher Education Budget on February 1, 2022.

Also, the appointment of Rep. Woodard to replace Rep. Probst on Committee on Commerce, Labor and Economic Development on February 1, 2022.

On motion of Rep. Hawkins, the House recessed until 3:00 p.m.

AFTERNOON SESSION

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2591, AN ACT repealing K.S.A. 2021 Supp. 55-193; concerning the state corporation commission; relating to certain fund transfers to the abandoned oil and gas well fund, by Committee on Appropriations.

HB 2592, AN ACT making and concerning appropriations for the fiscal years June 30, 2022, June 30, 2023, June 30, 2024, and June 30, 2025, 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. 2021 Supp. 74-50,107 and repealing the existing section, by Committee on Appropriations.

HB 2593, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement of retirants in certain school district positions during a period ending June 30, 2024; reducing the required employer contribution rate to only the statutory rate when employing such retirants; decreasing the required waiting period to 60 days; amending K.S.A. 74-4937 and K.S.A. 2021 Supp. 74-4914 and repealing the existing sections, by Committee on Insurance and Pensions.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 181**, as amended by Senate Committee of the Whole, be amended on page 1, in line 22, by striking "2020" and inserting "2021";

On page 3, in line 2, by striking "2022" and inserting "2023";

On page 5, in line 18, after "(c)" by inserting "An elevator mechanic license shall be issued, upon application, to an applicant that holds a certificate of completion from the national association of elevator contractors certified elevator technician certification program, national elevator industry education apprenticeship program or other equivalent nationally approved apprenticeship program; holds a valid license from a state having standards substantially equal to those of this act and the rules and regulations adopted pursuant thereto; or those persons who can demonstrate within the first year following enactment that such person has worked as an elevator mechanic without supervision for at least 8,000 hours within six years prior to the date of application.

(d)";

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

On page 10, in line 19, by striking "2021" and inserting "2022"; in line 21, by striking "2022" and inserting "2023"; in line 26, by striking "2021" and inserting "2022"; in line 27, by striking "2022" and inserting "2023"; in line 35, by striking "2022" and inserting "2023";

On page 11, in line 26, by striking "2022" and inserting "2023"; in line 27, by striking "2021" and inserting "2022"; in line 39, by striking "2021" and inserting "2022";

On page 12, in line 17, by striking "2026" and inserting "2027"; in line 19, by striking "2026" and inserting "2027"; in line 34, by striking "2022" and inserting "2023"; and the bill be passed as amended.

REPORT ON ENROLLED RESOLUTIONS

HR 6022 reported correctly enrolled and properly signed on February 1, 2022.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Thursday, February 3, 2022.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*