

# Journal of the House

## TWENTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 9, 2022, 11:00 a.m.

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

The roll was called with 122 members present.

Reps. Finney and Victors were excused on verified illness.

Rep. Henderson was excused on excused absence by the Speaker.

Excused later: Rep. Poetter Parshall.

Prayer by guest chaplain, Pastor Dean Apel, Assaria Lutheran Church, Assaria and guest of Rep. Steven Johnson:

Dear Lord, You remind us through Peter in Your Word, *“Above all, keep loving one another earnestly, since love covers a multitude of sins.”* (1 Peter 4:8)

We thank You for the many relationships in which You have set us as legislators, relationships with our own families, with constituents, with all others in our state, country and world, with each other and with You. Fill our hearts with love for You and for all those whom You call us to serve.

Bless our spouses, children, other family members and friends who must sometimes suffer for the sacrifices of time and energy we spend on state business.

Bless our constituents, those who voted for us and those who did not. Remind us that we are here to serve all of them and not our own interests and ideologies. Bless us to be responsible for the needs of our constituents and the needs of others in our state, country and world. Give us wisdom to make decisions which benefit the *“common good”* (1 Cor 12:7) and not only the narrower interests of our supporters.

Bless us to love one another, our fellow legislators here, so that we treat each other with civility and respect (Col 4:6; Eph 4:29) and are open to each others needs, views and priorities (Phil 2:4).

Finally, and most importantly, bless us with a good relationship with You, our Lord, so that we may find wisdom, courage and guidance from You for all the matters which are before us today and this season. Make our hearts grateful for Your willingness to befriend and save us through the death and resurrection of Jesus, in Whose name we pray. Amen.

*“Above all, keep loving one another earnestly.....”* (1 Peter 4:8)

The Pledge of Allegiance was led by Rep. Featherston.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2652**, AN ACT concerning the governmental response to the COVID-19 pandemic in Kansas; extending the authority of the board of healing arts to grant certain temporary emergency licenses; imposing requirements related thereto and expiring such provisions; extending the suspension of certain requirements related to medical care facilities and expiring such provisions; modifying the COVID-19 response and reopening for business liability protection act; extending immunity from civil liability for certain healthcare providers, certain persons conducting business in this state and covered facilities for COVID-19 claims until January 20, 2023; amending K.S.A. 2021 Supp. 48-963, 48-964, 48-965, 60-5503, 60-5504, 60-5508 and 65-468 and repealing the existing sections, by Committee on Judiciary.

**HB 2653**, AN ACT concerning elections; relating to electronic or electromechanical voting systems and optical scanning equipment; requiring images of ballots counted by such systems and equipment to be provided to candidates on request, by Representative Toplikar.

**HB 2654**, AN ACT concerning crimes, punishment and criminal procedure; relating to supervision of criminal offenders; offenders under supervision of both the department of corrections and court services officers; providing guidance for consolidation of supervision into one supervision entity or agency; requiring the department of corrections and the office of judicial administration to enter into a memorandum of understanding related to the supervision of such offenders; amending K.S.A. 2021 Supp. 21-6610 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2655**, AN ACT concerning the department of corrections; relating to inmates in the custody of the secretary; requiring the secretary to establish procedures to provide inmates an opportunity to take a nationally recognized career readiness assessment; amending K.S.A. 75-5210, 75-5210a and 75-5211 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2656**, AN ACT concerning crimes, punishment and criminal procedure; relating to law enforcement profiling; defining motorcycle profiling; requiring law enforcement agencies to adopt policies prohibiting motorcycling profiling; requiring training for law enforcement officers on motorcycle profiling; amending K.S.A. 2021 Supp. 22-4606 and 22-4610 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2657**, AN ACT concerning crimes, punishment and criminal procedure; enacting the reduce armed violence act; increasing criminal penalties for certain violations of criminal possession of a weapon by a convicted felon that involve firearms; amending K.S.A. 2021 Supp. 21-6804 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2658**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; conditions of probation or suspended sentence; replacing the list of standard conditions of probation and allowing for special conditions to be imposed; amending K.S.A. 2021 Supp. 21-6607 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2659**, AN ACT concerning schools; relating to athletic activities; enacting the sudden cardiac arrest prevention act; requiring the state department of education and schools to provide information and develop policies to address sudden cardiac arrest in athletic activities, by Representatives Lynn and Stogsdill.

**HB 2660**, AN ACT concerning the state capitol; relating to permanent displays and murals; directing the capitol preservation committee to develop and approve plans for a mural honoring the 1st Kansas (Colored) Voluntary Infantry regiment; creating the 1st Kansas (Colored) Voluntary Infantry regiment mural fund; amending K.S.A. 75-2264 and repealing the existing section, by Representatives Winn, Alcala, Amyx, Ballard, Burroughs, Byers, Carlin, Clayton, Curtis, Featherston, Finney, Haswood, Henderson, Hoye, Meyer, Neighbor, Ohaebosim, Ousley, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schmidt, Stogsdill, Vaughn, Victors, Weigel, Woodard and Xu.

**HB 2661**, AN ACT authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol; establishing the Kansas suffragist memorial fund, by Representatives Winn, Alcala, Amyx, Ballard, Burroughs, Byers, Carlin, Clayton, Clifford, Curtis, Ellis, Featherston, Finney, Haswood, Hoye, Meyer, Neighbor, Ohaebosim, Osman, Ousley, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schmidt, Stogsdill, Vaughn, Victors, Weigel, Woodard and Xu.

**HB 2662**, AN ACT concerning education; relating to schools and school districts; establishing the parents' bill of rights and academic transparency act; affirming certain parental rights relating to the education and upbringing of a child; requiring school districts to adopt policies to promote transparency and parental involvement in a child's education; requiring each school district to establish an academic transparency portal on the school district's website to provide information on learning materials and activities in each school; eliminating the affirmative defense for schools to the crime of promotion to minors of material that is harmful to minors; prohibiting teachers from being negatively evaluated for refusal to teach through critical pedagogy philosophies or against sincerely held religious beliefs; amending K.S.A. 72-2410 and K.S.A. 2021 Supp. 21-6402 and repealing the existing sections, by Committee on K-12 Education Budget.

**HB 2663**, AN ACT concerning nursing facilities; relating to reimbursement rates; requiring the secretary for aging and disability services to base such rates upon actual costs; amending K.S.A. 75-5958 and repealing the existing section, by Committee on Appropriations.

**HB 2664**, AN ACT concerning unfair business practices; prohibiting banks, trust companies, credit unions and other business entities from discriminating based on certain subjective or arbitrary standards; establishing civil penalties for violations, by Representatives Murphy, Blex, Esau, French, Garber, Helmer, Hoffman, Humphries, Jacobs, Lee-Hahn, Mason, Neelly, Newland, Owens, Penn, Proctor, Resman, Rhiley, Seiwert, Smith, E., Sutton, Tarwater, Thomas, Waggoner and K. Williams.

**HB 2665**, AN ACT concerning the Kansas act against discrimination and acts supplemental thereto; relating to the inclusion of sexual orientation and gender identity or expression as protected classes under the act; amending K.S.A. 12-16,107, 44-1001, 44-1002, 44-1004, 44-1005, 44-1006, 44-1009, 44-1015, 44-1016, 44-1017, 44-1027 and 44-1030 and repealing the existing sections, by Representatives Woodard, Byers, Meyer and Ruiz, S.

**HB 2666**, AN ACT concerning driver's licenses; relating to gender designations on driver's licenses; allowing an individual to have a gender designation of "X" and for an individual to change their gender designation on a driver's license, instruction permit or nondriver's identification card; amending K.S.A. 2021 Supp. 8-240 and repealing the existing section, by Representatives Byers, Featherston, Haswood, Highberger, Hoye, Meyer, Poskin, Probst, Ruiz, S., Vaughn, Woodard and Xu.

**HB 2667**, AN ACT concerning the legislative branch; requiring the state capitol and legislative meetings to be open to the public, by Representatives Lee-Hahn and Garber.

**HB 2668**, AN ACT concerning freedom of worship; prohibiting certain restrictions on such freedom by governmental entities and public officials; limiting related state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities; related powers of the secretary of health and environment and local health officers; amending K.S.A. 2021 Supp. 48-925, 48-932, 65-101, 65-201 and 65-202 and repealing the existing sections, by Representatives Lee-Hahn and Garber.

**HB 2669**, AN ACT concerning public health; relating to vaccinations; children and minors; requiring a child care facility or school to grant religious exemptions from vaccination requirements without inquiring into the sincerity of the religious beliefs; amending K.S.A. 65-508 and 72-6262 and repealing the existing sections, by Representatives Lee-Hahn and Garber.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Appropriations: **HB 2626, HB 2641.**

Children and Seniors: **HB 2632.**

Corrections and Juvenile Justice: **HB 2634.**

Education: **HB 2631.**

Federal and State Affairs: **HB 2643, HB 2644, HB 2645, HB 2646.**

Financial Institutions and Rural Development: **HB 2622, HB 2623.**

Health and Human Services: **HB 2650.**

Higher Education Budget: **HB 2636.**

Insurance and Pensions: **HB 2635, HB 2637, HB 2638, HB 2639.**

Judiciary: **HB 2624, HB 2625, HB 2640, HB 2642, HB 2647, HB 2648, HB 2651.**

K-12 Education Budget: **HB 2627, HB 2649.**

Transportation: **HB 2628, HB 2629, HB 2630, HB 2633.**

#### **MESSAGES FROM THE SENATE**

Announcing the Senate herewith transmits the veto message from the Governor, together with the enrolled copy of **Sub SB 355**,

AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143., which was received on February 3, 2022 and read on February 7, 2022.

**MESSAGE FROM THE GOVERNOR**  
**REGARDING VETO OF SENATE BILL 355**

The process of drawing districts each decade is the core to ensuring that all Kansans have the opportunity to participate in their government and have their voices heard. The courts and the Legislature have established case law and criteria on how to draw Kansas districts fairly and constitutionally.

Those guidelines call for ensuring that districts are nearly equal to 734,470 in population as practicable while ensuring that plans have neither the purpose nor effect of diluting minority communities' voting strength. The guidelines call for protecting communities of interest, preserving the core of existing congressional districts, and ensuring that whole counties are in the same congressional district if possible. The Legislature's guidelines further state that "to a considerable degree most counties in Kansas are economic, social, and cultural units, or parts of a larger socioeconomic unit. These communities of interest should be considered during the creation of congressional districts."

SB 355, known as Ad Astra 2, does not follow these guidelines and provides no justification for deviation from those guidelines. Wyandotte County is carved into two separate congressional districts. Without explanation, this map shifts 46% of the Black population and 33% of the Hispanic population out of the third congressional district by dividing the Hispanic neighborhoods of Quindaro Bluffs, Bethel-Welborn, Strawberry Hill, Armourdale and others from Argentine, Turner and the rest of Kansas City, Kansas south of I-70. To replace lost population in the third district, this map adds in counties that are more rural to the south and west of the core of the Kansas City metropolitan area.

Ad Astra 2 also separates the city of Lawrence from Douglas County and inserts urban precincts of Lawrence into the largely rural Big First Congressional District, reducing the strength of communities of interest in Western Kansas and unnecessarily dividing communities of interest in Eastern Kansas.

Several alternatives would allow for the same deviation as Ad Astra 2 while protecting the core of the existing congressional districts and without diluting minority communities' voting strength. I am ready to work with the Legislature in a bipartisan fashion to pass a new congressional map that addresses the constitutional issues in Senate Bill 355. Together, we can come to a consensus and pass a compromise that empowers all people of Kansas.

For those reasons, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Bill 355.

A motion was made that **Sub SB 355** be passed notwithstanding the Governor's veto. By vote of 27 Yeas and 11 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the Senate, voting in the affirmative, the bill passed.

**VETO CONSIDERATION**

On motion of Rep. Rep. Croft the House proceeded to reconsider **Sub SB 355** AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143.

The Governor's objection to **Sub SB 355** having been read, the question being: Shall the bill be passed notwithstanding the Governor's veto?

A two-thirds majority of the members elected to the House having voted in favor of the bill over the Governor's veto, the motion did prevail, the bill did pass.

On roll call, the vote was: Yeas 85; Nays 37; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, W. Carpenter, Clark, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Featherston, Garber, Gartner, Haswood, Helgeson, Highberger, Hoye, Kuether, Meyer, Miller, Neighbor, Ohaebosim, Osman, Ousley, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schmidt, Stogsdill, Vaughn, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Finney, Henderson, Victors.

Having voted on the prevailing side, Rep. Finch moved that the House of Representatives reconsider its action to override the Governor's veto of **Sub SB 355**. The motion did not prevail.

**EXPLANATIONS OF VOTE**

MR. SPEAKER: I vote NO on overriding the Governor's veto of **Sub SB 355**. This map was rammed through the legislature at the cost of public trust, transparency, and accountability. Backroom trading brought this map before us today. I cannot support legislation -- let alone a congressional map governing the next decade's socioeconomic lines -- that undercuts every single Kansan who elected us and the rule of law. We heard that gerrymandering and partisanship "just happens;" this was intentional. I refuse to support a gerrymandered map that dilutes the minority voice. I will not dignify this effort with my support and I expect this map to be challenged in court as litigation "just happens." -- TOM SAWYER, MARI-LYNN POSKIN, JO ELLA HOYE, CINDY NEIGHBOR, LINDSAY VAUGHN, KC OHAEBOSIM, JASON PROBST, STEPHANIE CLAYTON, BARBARA W. BALLARD, RUI XU, VALDENIA WINN, STEPHANIE BYERS, JOHN ALCALÁ, CHRISTINA HASWOOD, JIM GARTNER, MIKE

AMYX, SUSAN RUIZ, SYDNEY CARLIN, LOUIS RUIZ, TOM BURROUGHS, JERRY W. STOGSDILL, DAN OSMAN, CHUCK SCHMIDT, VIRGIL WEIGEL, KATHY WOLFE MOORE, HEATHER MEYER

MR. SPEAKER: The Ad Astra map proposal is textbook gerrymandering, splitting the most diverse county, Wyandotte County, between Congressional districts and splits up the greater Kansas City region, an obvious community of interest. My constituents overwhelmingly supported their current member of the United States House, and this map is a blatant attempt to elect someone of the opposing party. Gerrymandering, in every case, is wrong, regardless of party. **Sub SB 355** should more appropriately be named the “Per Aspera” proposal. I vote NO. – BRANDON WOODARD

MR. SPEAKER: District 1 still looks like an elephant. The Committee could have made the map bipartisan by making one of the other districts look like a donkey, but they chose not to. I vote NO. – DENNIS “BOOG” HIGHBERGER, JARROD OUSLEY, PAM CURTIS

MR. SPEAKER: Who is surprised the GOP has targeted Kansas’ only female member of Congress? Who is surprised the GOP has targeted the only person of color to represent Kansas in Congress in almost 100 yrs? This map is not about Democrats, New Yorkers or liberals. It is about being anti-woman, anti-people of color, anti-LGBTQ and anti-Native American. I vote to sustain the Governor’s veto of **Substitute for SB 355**. Representative – VIC MILLER

## CONSENT CALENDAR

No objection was made to **HB 2480**, **HB 2564** appearing on the Consent Calendar for the second day.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. E. Smith in the chair.

## COMMITTEE OF THE WHOLE

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

Recommended that **HB 2473**, **HB 2490** be passed.  
**HCR 5023** be adopted.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HCR 5023**, **HB 2473** and **HB 2490** were advanced to Final Action on Bills and Concurrent Resolutions.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HCR 5023**, A CONCURRENT RESOLUTION denouncing price gouging and market manipulation in the natural gas marketplace and supporting investigations into the extraordinary price increases of wholesale natural gas during the extreme cold weather event of February 2021, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 2; Present but not voting: 4; Absent or not voting: 5.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergquist, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, W. Carpenter, Clark, Clayton, Clifford, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoyer, Huebert, Humphries, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Meyer, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schmidt, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Seiwert.

Present but not voting: Bergkamp, Garber, Jacobs, Rhiley.

Absent or not voting: Burris, Finney, Henderson, Poetter, Victors.

The resolution was adopted.

**HB 2473**, AN ACT concerning law libraries; relating to the board of trustees; removing the requirement that all district court judges serve on the board of trustees of the Douglas county law library; amending K.S.A. 2021 Supp. 20-3127 and repealing the existing section, was considered on final action.

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

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoyer, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Meyer, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schmidt, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Finney, Henderson, Poetter, Victors.

The bill passed.

**HB 2490**, AN ACT concerning persons with disabilities; relating to income taxation, ABLE savings accounts; authorizing the state treasurer to determine account owners and designated beneficiaries; adopting the federal definition for an eligible individual; adding persons who may open an account; requiring additional compliance with the federal internal revenue code; amending K.S.A. 75-651, 75-652, 75-653 and 75-655 and



repealing the existing sections, was considered on final action.

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

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Highberger, Highland, Hoffman, Hoheisel, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Meyer, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schmidt, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Garber, Helmer, Houser.

Present but not voting: None.

Absent or not voting: Finney, Henderson, Poetter, Victors.

The bill passed.

## REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Rural Development** recommends **SB 337** be passed.

Committee on **Veterans and Military** recommends **HB 2529, HB 2540** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

**HB 2670**, AN ACT concerning public health; relating to responses to infectious or contagious disease by certain public and private entities; prohibiting certain acts by business entities, governmental entities or public officials based upon a person's vaccination status or possession of an immunity passport; relating to access to services, goods, facilities and opportunities; proceedings under the revised Kansas code for care of children; proceedings related to legal custody, residency and parenting time of a child under the Kansas family law code; access to healthcare services and prohibiting discrimination in rendering healthcare services; modifying the Kansas act against discrimination to define unlawful employment practices related to vaccination status or possession of an immunity passport; limiting powers of the secretary of health and environment and local health officers; amending K.S.A. 38-2269, 44-1002 and 44-1009 and K.S.A. 2021 Supp. 23-3201, 65-101, 65-201, 65-202, 65-1120 and 65-2836 and repealing the existing sections, by Representatives Lee-Hahn and Garber.

**HB 2671**, AN ACT concerning school districts; relating to teacher employment contracts; requiring due process procedures when non-renewing or terminating certain

contracts; amending K.S.A. 72-2252, 72-2253, 72-2254 and 72-2260 and repealing the existing sections, by Representatives Stogsdill, Alcalá, Amyx, Ballard, Burroughs, Carlin, Carmichael, Clayton, Coleman, Curtis, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoyer, Kuether, Meyer, Miller, Neighbor, Ohaebosim, Osman, Ousley, Poskin, Probst, Ruiz, L., Ruiz, S., Samsel, Sawyer, Schmidt, Toplikar, Vaughn, Weigel, Winn, Wolfe Moore, Woodard and Xu.

**HB 2672**, AN ACT concerning labor; relating to licensing of professional occupations; creating the open borders for Kansas jobs act; providing for issuance of Kansas licenses or certifications to practice certain professions to persons holding credentials from other states that have substantially equivalent requirements for such licenses or certifications as Kansas; amending K.S.A. 1-302, 65-1152, 65-1505, 65-1663, 65-2833, 65-28a04, 65-28b03, 65-2906, 65-4203, 65-5406, 65-5506, 65-5910, 65-7203, 65-7503, 72-2157 and 75-7b04 and K.S.A. 2021 Supp. 65-6129 and 65-6322 and repealing the existing sections, by Representative Rhiley.

**HB 2673**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing for drug crimes; expanding the number of presumptive probation and border grid blocks; modifying the sentence terms for certain drug offenders; authorizing more offenders to be sentenced to participate in the certified drug abuse treatment program; amending K.S.A. 2021 Supp. 21-6805 and 21-6824 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2674**, AN ACT concerning crimes, punishment and criminal procedure; relating to conditions of release prior to trial; requiring a forfeiture of an appearance bond to be set aside in certain circumstances; amending K.S.A. 2021 Supp. 22-2807 and repealing the existing section, by Committee on Judiciary.

**HB 2675**, AN ACT concerning health and healthcare; relating to health insurance coverage; expanding medical assistance eligibility; requiring the department of health and environment to direct certain individuals to a work referral program and to study certain medicaid expansion topics, by Committee on Federal and State Affairs.

**HB 2676**, AN ACT concerning counties; allowing counties to create a code inspection and enforcement fund and expanding the existing equipment fund to include electronic technology; amending K.S.A. 19-119 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2677**, AN ACT concerning the personal and family protection act; prohibiting the collection of personal information regarding off-duty law enforcement officers entering buildings or requiring the officer to wear anything identifying the person as a law enforcement officer or being armed; amending K.S.A. 75-7c22 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2678**, AN ACT concerning public health; relating to responses to infectious or contagious disease by certain public and private entities; ensuring a right to in-person visitation at medical care facilities and adult care homes; prohibiting certain public health orders related to isolation and quarantine, stay-at-home orders, curfews and face masks; providing criminal penalties for an individual who disregards an isolation or quarantine recommendation when great bodily harm to another person or death of another person results from such act; limiting state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities related to stay-at-home orders, curfews and face masks; powers of the secretary of health and environment and local health officers; isolation or quarantine recommendations;

amending K.S.A. 65-129, 65-129b, 65-129c and 65-129d and K.S.A. 2021 Supp. 21-5424, 48-925, 48-932, 65-101, 65-201 and 65-202 and repealing the existing sections, by Representatives Lee-Hahn and Garber.

**HB 2679**, AN ACT concerning commerce; prohibiting certain restrictions on the operation of private businesses by governmental entities and public officials; limiting related state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities; related powers of the secretary of health and environment and local health officers; amending K.S.A. 2021 Supp. 48-925, 48-932, 65-101, 65-201 and 65-202 and repealing the existing sections, by Representatives Lee-Hahn and Garber.

**HB 2680**, AN ACT concerning economic development; relating to income and privilege tax incentives for employee savings accounts; establishing the Kansas employee emergency savings account (KEESA) program; providing an income and privilege tax credit for certain eligible employer deposits to employee savings accounts established under the program; providing a subtraction modification for certain employee deposits to savings accounts established under the program; amending K.S.A. 2021 Supp. 79-32,117 and repealing the existing section, by Representatives Poskin, Clayton and Tarwater.

HOUSE CONCURRENT RESOLUTION No. **HCR 5028**—

By Representatives Garber, Huebert, Jacobs, Lee-Hahn, Murphy and Rhiley

A PROPOSITION to amend section 1 of the bill of rights of the constitution of the state of Kansas; relating to equal rights.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of the bill of rights of the constitution of the state of Kansas is hereby amended to read as follows:

**"§ 1. Equal rights.** All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness. *Recognizing the authority of the state of Kansas to exercise its police power and its sovereign right to adopt individual liberties in the constitution of the state of Kansas more expansive than those conferred by the constitution of the United States, the state of Kansas shall hereby guarantee the inalienable rights, equal protection and due process of law of every human being from the beginning of the biological development of that human being, including fertilization.*"

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to expand the class of human beings who currently enjoy inalienable rights, equal protection and due process of the law under the constitution of the state of Kansas to every human being from the beginning of the biological

development of that human being, including fertilization.

"A vote for this proposition would amend the constitution of the state of Kansas to explicitly incorporate into it the inalienable right to life of every human being irrespective of age, race, gender, health, function, condition of dependency, including physical or mental dependency, or method of reproduction, from the beginning of their biological development, including fertilization. The proposed constitutional amendment would also prohibit the state from discriminating against any class of human beings in the application, interpretation and enforcement of its laws.

"A vote against this proposition would not amend the constitution of the state of Kansas, in which case the current federally mandated legal status of preborn humans would remain that of a class of human beings that can intentionally be killed."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Thursday, February 10, 2022.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

