

# Journal of the House

## FORTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, March 17, 2022, 11:00 a.m.

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

The roll was called with 120 members present.

Reps. Concannon, Meyer, Neighbor and Poetter Parshall were excused on verified illness.

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

Prayer by Rep. Lynn

Dear Heavenly Father,  
thank You for Your faithfulness in helping us this week.  
You have watched over us, protected us,  
guided us and enabled us to accomplish much.  
Continue to lead us with your Spirit.  
Watch over us this weekend, as many travel back home.  
May we have quality time with families  
and come back ready for the new tasks of the new week.

In honor of St. Patrick's Day, I give you this blessing –

*May the road rise up to meet you.  
May the wind be always at your back.  
May the sun shine warm upon your face;  
the rains fall soft upon your field  
and until we meet again,  
may God hold you in the palm of His hand.  
Amen*

The Pledge of Allegiance was led by Rep. Susan Ruiz.

### INTRODUCTION OF GUESTS

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

Carly Collins is a junior at Mulvane High School. She is an active member of Sedgwick County 4-H Club where she has received championship awards for her livestock and showmanship through her 10 years of competition and raising show livestock. She is also very active in Citizenship through 4-H and FFA, receiving the Kansas Award for Citizenship for Sedgwick County for five consecutive years. Carly currently serves as the President of the Peck Ramblers 4-H Club, and she is the Junior Leader for the Meat Goat Project.

She also resides on the Livestock sale committee for the Sedgwick County Fair and shows all four market species at county level and shows sheep at State level. In FFA she is just as active with judging competitions from Meat Judging to Agriculture Mechanics. She recently placed 10th overall in districts for her speech presentation on Agriculture. She currently serves as the Secretary of the Mulvane FFA chapter and was recently elected Vice President of the chapter for the upcoming year.

She has a true passion for helping others improve their skills and gain knowledge of Agriculture. Her plan to continue education will be attending Cowley County Community College on a Livestock Judging Scholarship and then to move to K-State to complete her degree in Agriculture education which will also include a welding degree. She was awarded three Kansas titles at the Midwest Miss United States Agriculture Pageant in December of 2021. She is the current 2022 Kansas Teen Miss United States Agriculture Queen, overall 2022 Kansas People's Choice, and overall 2022 Kansas Agriculture Advocate. The pageant's motto is to Teach, Inspire, and Advocate for Agriculture. She will also be competing again this year.

When Carly thinks of what Agriculture Advocacy means to her, the first word that comes to mind is education. Agriculture is truly an industry, open to countless learning opportunities. With agriculture, we must never stop educating ourselves and others! There is more involvement in this industry than most could ever imagine. From the soil preparation to the crops we grow, to the livestock that depends on the grain, to the meat and food on everyone's table. As consumers we have the right to know what's in our food and the amount we are feeding our livestock. It is very important to understand how to read a nutrition label on the food we purchase. Having this knowledge will help us better understand what we are consuming from the end product. There will always be additives to preserve our food. It is crucial to understand what the good and bad preservatives are. This education can help us prevent diseases such as diabetes and cancer.

Carly's passion for agriculture continues to grow. She is thankful to be part of the Mulvane FFA Chapter and the doors that are opening because of it. The depth of this industry, truly has her attention and she wants to give back to others as much as possible. Therefore, she strives to become an Agriculture teacher. Through teaching others about agriculture, she will have the opportunity to continue to grow her knowledge as well. As more people receive education about the healthy foundation of growing crops and livestock they will continue to pass this on to future generations. For all these reasons she has chosen to teach, inspire, and advocate for Agriculture!

Rep. Helmer presented Carly with a framed House certificate in recognition of her accomplishments.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2741**, AN ACT concerning children and minors; relating to cities and counties; establishing city and county child death review boards; permitting and requiring disclosure of records; amending K.S.A. 22a-241 and K.S.A. 2021 Supp. 22a-243 and repealing the existing sections, by Committee on Appropriations.

**HB 2742**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; providing a post-retirement dividend payment to certain retirees; making and concerning appropriations for the

fiscal year ending June 30, 2023, for the Kansas public employees retirement system, by Committee on Appropriations.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Elections: **SB 389**.

Federal and State Affairs: **HB 2740**.

Taxation: **HB 2739**.

Transportation: **SB 494**.

### MESSAGES FROM THE SENATE

Announcing passage of **Sub SB 444**.

### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

**SB 444**.

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Rhiley, **HR 6025**, by Reps. Rhiley, Bergkamp, Borjon, Carlin, Carlson, Clifford, Collins, Corbet, Estes, Francis, French, Garber, Helgerson, Helmer, Hoheisel, Howe, Neelly, Newland, Poskin, Proctor, Sanders, Smith, Sutton, Toplikar and Williams, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6025**—

A RESOLUTION commemorating the celebration of St. Patrick's Day

WHEREAS, On March 17, during the annual celebration of the Feast of Saint Patrick, the patron saint of Ireland, Irish Americans join with people of all other ethnic origins in celebrating Saint Patrick and demonstrating a mutual love for Ireland; and

WHEREAS, On Saint Patrick's Day, all who celebrate live in the spirit of Saint Patrick, Saint Bridget, and Saint Columcille, whose 1500<sup>th</sup> birthday was celebrated in 2020; and

WHEREAS, Irish immigrants in the United States helped form the cultural foundation of the nation, and those of Irish lineage today proudly sing support for Ireland; and

WHEREAS, We celebrate the establishment of the American Irish State Legislators Caucus, which has leadership in all 50 states, and we applaud its aim of fostering and strengthening the longstanding relationship between the United States and Ireland for the mutual benefit of both countries; and

WHEREAS, The Senate of Ireland celebrates its 100<sup>th</sup> anniversary this year; and

WHEREAS, The songs of Ireland are the tragic songs of love, the joyous songs of battle, the nostalgic reveries of the sorrows and glories that are the Emerald Isle, the lamentations of life's myriad travails and the odes to joy in the life eternal: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we commemorate the celebration of the Feast of Saint Patrick, the patron saint of Ireland; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to the Chairperson of the Senate of Ireland, Senator Mark Daly; National Co-Chairs of the American Irish State Legislators Caucus, Senator Mia Costello of Alaska, Representative Fran Hurley of Illinois, Assemblywoman Carol Murphy of New Jersey, Senator Shannon O'Brien of Montana, Representative Killian Timoney of Kentucky, and Speaker Robin Vos of Wisconsin; and three enrolled copies of this resolution to Representative Rhiley.

### PERSONAL PRIVILEGE

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

Thank you Mr. Chairman, I am bringing forward **House Resolution 6025** commemorating the celebration of St. Patrick's Day, today March 17<sup>th</sup>.

On this day we applaud the mutual fostering and strengthening of the longstanding relationship between the United States and Ireland. This resolution also celebrates the 100<sup>th</sup> anniversary of the Senate of Ireland.

Kansas' Irish roots date back to the mid-1800s, when Irish immigrants first settled in Kansas City before venturing more West into Kansas. These settlers brought their customs across the Atlantic Ocean as well, including music, dance, food and yes, St. Patrick's Day.

We are familiar with the Celtic songs and dance, and we think of familiar Irish foods such as Guinness, potatoes, Irish stew, cabbage, and corned beef. Did you know that is was an Irish botanist Sir Hans Sloane that invented chocolate milk? Today, the Celtic culture continues to be a proud tradition here in America.

Rep. Rhiley was joined at the well by HR 6025 co-sponsors. He presented them each with certificates and pins from the American Irish State Legislators Caucus.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2528**, AN ACT concerning amusement rides; relating to the Kansas amusement ride act; definitions; exempting inflatable devices from certain requirements of the act; amending K.S.A. 44-1601 and 44-1605 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 86; Nays 34; Present but not voting: 0; Absent or not voting: 5.

Yeas: Anderson, Arnberger, Averkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, W. Carpenter, Clark, Clifford, Collins, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, 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, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schmidt, 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, Curtis, Featherston, Finney, Gartner, Haswood, Helgeson, Henderson, Highberger, Hoye, Kuether, Miller, Ohaebosim, Osman, Ousley, Poskin, Ruiz, L., Ruiz, S., Sawyer,

Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Coleman, Concannon, Meyer, Neighbor, Poetter.

The bill passed, as amended.

**SB 335**, AN ACT concerning insurance; relating to accident and health insurance; exempting certain qualified trade, merchant, retail and professional associations and business leagues that provide health insurance in the state but are not subject to the jurisdiction of the commissioner of insurance from payment of the annual premium tax; amending K.S.A. 40-2222b and repealing the existing section, was considered on final action.

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

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, 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, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Coleman, Concannon, Meyer, Neighbor, Poetter.

The bill passed.

**SB 348**, AN ACT concerning public health; relating to cosmetology; hair removal; exempting persons engaged in threading from the practice of cosmetology and the requirements thereof; amending K.S.A. 65-1901 and 65-1928 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 10; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlson, W. Carpenter, Clark, Clayton, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Osman, Owens, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schmidt, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill,

Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Amyx, Carlin, Carmichael, Clifford, Gartner, Helmer, Kuether, Ousley, Seiwert, Winn.

Present but not voting: None.

Absent or not voting: Coleman, Concannon, Meyer, Neighbor, Poetter.

The bill passed, as amended.

**SB 392**, AN ACT concerning securities; relating to the securities act fee fund; terminating the transfer of remaining unencumbered moneys in such fund exceeding \$50,000 to the state general fund; amending K.S.A. 2021 Supp. 17-12a601 and repealing the existing section, was considered on final action.

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

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, 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, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Coleman, Concannon, Meyer, Neighbor, Poetter.

The bill passed.

## CHANGES OF REFERENCE

Speaker pro tem Finch announced the withdrawal of **H Sub for Sub SB 84, SB 181** from Committee of the Whole and re-referral to Committee on Federal and State Affairs.

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

## COMMITTEE OF THE WHOLE

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

Recommended that **HB 2712, Sub SB 400** be passed.

Committee report to **SB 408** be adopted; and the bill be passed as amended.

Committee report to **SB 366** be adopted; and the bill be passed as amended.

**INTRODUCTION OF ORIGINAL MOTIONS**

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HB 2712**, **SB 366**, **SB 400** and **SB 408** were advanced to Final Action on Bills and Concurrent Resolutions.

**HB 2712**, AN ACT establishing the Kansas commission for the United States semiquincentennial as part of the department of commerce; prescribing commission membership, responsibilities, meetings and expiration; creating the Kansas commission for the United State semiquincentennial gifts and donations fund, was considered on final action.

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

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, 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, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild.

Present but not voting: None.

Absent or not voting: Coleman, Concannon, Meyer, Neighbor, Poetter.

The bill passed.

**SB 408**, AN ACT concerning crimes, punishment and criminal procedure; relating to theft; increasing criminal penalties for multiple thefts of mail; amending K.S.A. 2021 Supp. 21-5801 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 3; Present but not voting: 0; Absent or not voting: 5.

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

Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard.

Nays: Kuether, Ruiz, S., Xu.

Present but not voting: None.

Absent or not voting: Coleman, Concannon, Meyer, Neighbor, Poetter.

The bill passed, as amended.

**Sub SB 400**, AN ACT concerning trusts; relating to the creation, modification and termination thereof; adding to the list of matters that may be resolved by nonjudicial settlement agreements; increasing the threshold at which an uneconomic trust may be terminated; updating the definition of resident trust; amending K.S.A. 58a-414 and 79-32,109 and K.S.A. 2021 Supp. 58a-111 and repealing the existing section, was considered on final action.

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

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, 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, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Coleman, Concannon, Meyer, Neighbor, Poetter.

The bill passed.

**SB 366**, AN ACT concerning crimes, punishment and criminal procedure; relating to burglary; locked or secured portions of dwellings, buildings or other structures; amending K.S.A. 2021 Supp. 21-5807 and repealing the existing section, was considered on final action.

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

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, 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, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Coleman, Concannon, Meyer, Neighbor, Poetter.

The bill passed, as amended.

### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 261** be amended by substituting with a new bill to be designated as "House Substitute for SENATE BILL NO. 261," as follows:

"House Substitute for SENATE BILL NO. 261

By Committee on Agriculture

"AN ACT concerning agriculture; relating to the labeling of certain foods; prohibiting the use of identifiable meat terms on labels of meat analogs without use of proper qualifying language; amending K.S.A. 65-656 and 65-665 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 261** was thereupon introduced and read by title.)

Committee on **Agriculture** recommends **SB 346**, as amended by Senate Committee, be amended on page 2, in line 3, by striking "" or "" and inserting "and"; in line 7, by striking the second "or" and inserting "and";

On page 2, following line 12, by inserting:

"Sec. 3. K.S.A. 47-607c is hereby amended to read as follows: 47-607c. (a) Any person or persons violating or failing who intentionally or knowingly violates or intentionally or knowingly fails to comply with the provisions of this act shall be deemed guilty of a class C nonperson misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail not less than thirty (30) days nor more than one (1) year, or by both such fine and imprisonment.

(b) In addition to any other penalty provided by law, any person who violates K.S.A. 47-607, and amendments thereto, the special permit requirements of K.S.A. 47-607a, and amendments thereto, or rules and regulations promulgated pursuant to K.S.A. 47-607d, and amendments thereto, may incur a civil penalty in an amount not less than \$100 nor more than \$1,000 for each shipment into the state.

(c) No civil penalty shall be imposed pursuant to this section except upon the written order of the duly authorized agent of the animal health commissioner to the person who committed the violation. Such order shall state the violation, the civil penalty to be imposed and the right of the person to appeal to the commissioner. Within 20 days of such notification, any such person may make written request to the commissioner for a hearing in accordance with the Kansas administrative procedure act.

(d) Any civil penalty recovered pursuant to this section shall be remitted to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(e) The animal health commissioner may require that any records related to animals and the suspected transportation of such animals into the state in violation of K.S.A. 47-607, and amendments thereto, the special permit requirements of K.S.A. 47-607a, and amendments thereto, or rules and regulations promulgated pursuant to K.S.A. 47-607d, and amendments thereto, in the possession of any person be submitted to the commissioner for review within a reasonable time. Failure to cooperate with any such request shall be considered a violation of this act."

On page 4, following line 2, after "(j)" by inserting: "Imminent health hazard" means any condition that involves milk, milk products or dairy products, or any practice or procedure in the handling, transportation, storage, processing or manufacturing of milk, milk product or dairy product that poses a significant threat of danger to the public health that should be corrected immediately to prevent injury or sickness and that should not be permitted to continue while a hearing or other proceeding is being conducted.

(k)";

Also on page 4, in line 7, by striking "(k)" and inserting "(l)";

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

On page 11, in line 30, after "K.S.A." by inserting "47-607c,";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after the semicolon by inserting "relating to animals; transporting animals into the state; authorizing the animal health commissioner to assess a civil penalty for violations relating thereto;"; also in line 5, after "K.S.A." by inserting "47-607c,"; and the bill be passed as amended.

Committee on **Children and Seniors** recommends **HB 2700** be amended on page 1, following line 8, by inserting:

"Section 1. K.S.A. 38-2202 is hereby amended to read as follows: 38-2202. As used in the revised Kansas code for care of children, unless the context otherwise indicates:

(a) "Abandon" or "abandonment" means to forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.

(b) "Adult correction facility" means any public or private facility, secure or nonsecure, that is used for the lawful custody of accused or convicted adult criminal offenders.

(c) "Aggravated circumstances" means the abandonment, torture, chronic abuse, sexual abuse or chronic, life threatening neglect of a child.

(d) "Child in need of care" means a person less than 18 years of age at the time of filing of the petition or issuance of an ex parte protective custody order pursuant to K.S.A. 38-2242, and amendments thereto, who:

(1) Is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child's parents or other custodian;

(2) is without the care or control necessary for the child's physical, mental or emotional health;

(3) has been physically, mentally or emotionally abused or neglected or sexually abused;

(4) has been placed for care or adoption in violation of law;

(5) has been abandoned or does not have a known living parent;

(6) is not attending school as required by K.S.A. 72-3421 or 72-3120, and

amendments thereto;

(7) except in the case of a violation of K.S.A. 41-727, K.S.A. 74-8810(j), K.S.A. 79-3321(m) or (n), or K.S.A. 2021 Supp. 21-6301(a)(14), and amendments thereto, or, except as provided in paragraph (12), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution, but which is not prohibited when done by an adult;

(8) while less than 10 years of age, commits any act that if done by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2021 Supp. 21-5102, and amendments thereto;

(9) is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;

(10) is willfully and voluntarily absent at least a second time from a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee;

(11) has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected, or sexually abused;

(12) while less than 10 years of age commits the offense defined in K.S.A. 2021 Supp. 21-6301(a)(14), and amendments thereto;

(13) has had a permanent custodian appointed and the permanent custodian is no longer able or willing to serve; or

(14) has been subjected to an act that would constitute human trafficking or aggravated human trafficking, as defined by K.S.A. 2021 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2021 Supp. 21-6422, and amendments thereto, or has committed an act which, if committed by an adult, would constitute selling sexual relations, as defined by K.S.A. 2021 Supp. 21-6419, and amendments thereto.

(e) "Citizen review board" is a group of community volunteers appointed by the court and whose duties are prescribed by K.S.A. 38-2207 and 38-2208, and amendments thereto.

(f) "Civil custody case" includes any case filed under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, determination of parentage, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, or article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, guardians and conservators.

(g) "Court-appointed special advocate" means a responsible adult other than an attorney guardian ad litem who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 38-2206, and amendments thereto, in a proceeding pursuant to this code.

(h) "Custody" whether temporary, protective or legal, means the status created by court order or statute that vests in a custodian, whether an individual or an agency, the right to physical possession of the child and the right to determine placement of the child, subject to restrictions placed by the court.

(i) "Extended out of home placement" means a child has been in the custody of the

secretary and placed with neither parent for 15 of the most recent 22 months beginning 60 days after the date at which a child in the custody of the secretary was removed from the child's home.

(j) "Educational institution" means all schools at the elementary and secondary levels.

(k) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-6143(a), and amendments thereto.

(l) "Harm" means physical or psychological injury or damage.

(m) "Interested party" means the grandparent of the child, a person with whom the child has been living for a significant period of time when the child in need of care petition is filed, and any person made an interested party by the court pursuant to K.S.A. 38-2241, and amendments thereto, or Indian tribe seeking to intervene that is not a party.

(n) "Jail" means:

(1) An adult jail or lockup; or

(2) a facility in the same building or on the same grounds as an adult jail or lockup, unless the facility meets all applicable standards and licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(o) "Juvenile detention facility" means any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders that must not be a jail.

(p) "Juvenile intake and assessment worker" means a responsible adult authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(q) "Kinship care placement" means the placement of a child in the home of an adult with whom the child or the child's parent already has close emotional ties, including a foster placement with whom the child lived for more than six months.

(r) "Law enforcement officer" means any person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(s) "Multidisciplinary team" means a group of persons, appointed by the court under K.S.A. 38-2228, and amendments thereto, that has knowledge of the circumstances of a child in need of care.

(t) "Neglect" means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. Neglect may include, but shall not be limited to:

(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation that requires judgment or actions beyond the child's level of maturity, physical

condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or

(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall, not for that reason, be considered a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to K.S.A. 38-2217(a)(2), and amendments thereto.

(u) "Parent" when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

(v) "Party" means the state, the petitioner, the child, any parent of the child and an Indian child's tribe intervening pursuant to the Indian child welfare act.

(w) "Permanency goal" means the outcome of the permanency planning process, which may be reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement.

(x) "Permanent custodian" means a judicially approved permanent guardian of a child pursuant to K.S.A. 38-2272, and amendments thereto.

(y) "Physical, mental or emotional abuse" means the infliction of physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

(z) "Placement" means the designation by the individual or agency having custody of where and with whom the child will live.

(aa) "Qualified residential treatment program" means a program designated by the secretary for children and families as a qualified residential treatment program pursuant to federal law.

(bb) "Reasonable and prudent parenting standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

(cc) "Relative" means a person related by blood, marriage or adoption.

(dd) "Runaway" means a child who is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian.

(ee) "Secretary" means the secretary for children and families or the secretary's designee.

(ff) "Secure facility" means a facility, other than a staff secure facility or juvenile detention facility, that is operated or structured so as to ensure that all entrances and exits from the facility are under the exclusive control of the staff of the facility, whether or not the person being detained has freedom of movement within the perimeters of the facility, or that relies on locked rooms and buildings, fences or physical restraint in order to control behavior of its residents. No secure facility shall be in a city or county jail.

(gg) "Sexual abuse" means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another

person. Sexual abuse shall include, but is not limited to, allowing, permitting or encouraging a child to:

(1) Be photographed, filmed or depicted in pornographic material; or  
 (2) be subjected to aggravated human trafficking, as defined in K.S.A. 2021 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the offender or another, or be subjected to an act that would constitute conduct proscribed by article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2021 Supp. 21-6419 or 21-6422, and amendments thereto.

(hh) "Shelter facility" means any public or private facility or home, other than a juvenile detention facility or staff secure facility, that may be used in accordance with this code for the purpose of providing either temporary placement for children in need of care prior to the issuance of a dispositional order or longer term care under a dispositional order.

(ii) "Staff secure facility" means a facility described in K.S.A. 65-535, and amendments thereto: (1) That does not include construction features designed to physically restrict the movements and activities of juvenile residents who are placed therein; (2) that may establish reasonable rules restricting entrance to and egress from the facility; and (3) in which the movements and activities of individual juvenile residents may, for treatment purposes, be restricted or subject to control through the use of intensive staff supervision. No staff secure facility shall be in a city or county jail.

(jj) "Transition plan" means, when used in relation to a youth in the custody of the secretary, an individualized strategy for the provision of medical, mental health, education, employment and housing supports as needed for the adult and, if applicable, for any minor child of the adult, to live independently and specifically provides for the supports and any services for which an adult with a disability is eligible including, but not limited to, funding for home and community based services waivers.

(kk) "Youth residential facility" means any home, foster home or structure that provides 24-hour-a-day care for children and that is licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.";

Also on page 1, in line 24, by striking "Prior to making an order under subsection (a) (1)" and inserting "When there is more than one prospective adoptive family"; in line 34, after "under" by inserting "subsection"; also in line 34, after the comma by inserting "when there is more than one prospective adoptive family,";

On page 2, in line 2, by striking the second comma; in line 3, by striking "siblings"; in line 12, after "K.S.A." by inserting "38-2202 and"; also in line 12, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "adding certain placements to the definition of kinship care placement;"; in line 3, after "adoption" by inserting "when there are multiple prospective adoptive families"; in line 5, after "K.S.A." by inserting "38-2202 and"; in line 6, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **SB 493** be amended on page 1, in line 7, by striking the first comma and inserting ":

- (1) A plastic straw; or
- (2)";

Also on page 1, in line 9, by striking "(1)" and inserting "(A)"; in line 12, by striking

"(2)" and inserting "(B)";

And the bill be passed as amended.

Committee on **Education** recommends **HB 2631** be amended on page 1, in line 13, by striking "a" and inserting "an approved"; in line 18, by striking "an industry-recognized" and inserting "either an approved high-value"; also in line 18, after "credential" by inserting "or an approved standard career technical education credential"; in line 21, by striking "and"; in line 22, after "(2)" by inserting "for high-value credentials"; also in line 22, after "1.2" by inserting "; and

(4) add the product determined under paragraph (3) to the amount calculated under paragraph (2) for standard credentials";

Also on page 1, in line 23, by striking "product" and inserting "sum"; by striking all in line 24; in line 26, by striking all after "(c)"; by striking all in lines 27 through 36;

On page 2, in line 1, by striking all before the period and inserting "(1) On or before July 31, 2022, and each July 31 thereafter, the state board of education, after consultation with the secretary of labor, the secretary of commerce and representatives of industries that recognize career technical education credentials, shall approve a list of high-value industry-recognized credentials and a list of standard industry-recognized credentials.

(2) For purposes of determining state aid under subsection (b), a standard career technical education credential shall only be included if the credential is obtained by a student who:

(A) Has an individualized education program (IEP) or a 504 plan at the time the credential is obtained; or

(B) is otherwise identified as a student who has obtained such credential in the discretion of the school district";

Also on page 2, in line 2, by striking all after "Payments"; in line 3, by striking all before "shall"; in line 10, after "fund" by inserting ", except that, of the amount credited to such fund, the school district shall expend such moneys first for the cost of assessments for those credentials described in subsection (c)"; following line 10, by inserting:

"(e) As used in this section, the term "school district" means: Abilene school district (U.S.D. no. 435); Attica school district (U.S.D. no. 511); Burrton school district (U.S.D. no. 369); Chaparral school district (U.S.D. no. 361); Cheney school district (U.S.D. no. 268); Circle school district (U.S.D. no. 375); Clearwater school district (U.S.D. no. 264); Deerfield school district (U.S.D. no. 216); DeSoto school district (U.S.D. no. 232); Dodge City school district (U.S.D. no. 443); El Dorado school district (U.S.D. no. 490); Eureka school district (U.S.D. no. 389); Goodland school district (U.S.D. no. 352); Great Bend school district (U.S.D. no. 428); Haysville school district (U.S.D. no. 261); Hesston school district (U.S.D. no. 460); Hugoton school district (U.S.D. no. 210); Humboldt school district (U.S.D. no. 258); Iola school district (U.S.D. no. 257); Kansas City school district (U.S.D. no. 500); Kingman-Norwich school district (U.S.D. no. 331); Kinsley-Offerle school district (U.S.D. no. 347); Lyons school district (U.S.D. no. 405); Maize school district (U.S.D. no. 266); Manhattan school district (U.S.D. no. 383); Medicine Lodge school district (U.S.D. no. 254); Salina school district (U.S.D. no. 305); Seaman school district (U.S.D. no. 345); Southern Lyon county school district (U.S.D. no. 252); Spring Hill school district (U.S.D. no. 230); Stafford school district (U.S.D. no. 349); St. Francis school district

(U.S.D. no. 297); St. John-Hudson school district (U.S.D. no. 350); Uniontown school district (U.S.D. no. 235); Waconda school district (U.S.D. no. 272); Wamego school district (U.S.D. no. 320); Wellington school district (U.S.D. no. 353); Western Plains school district (U.S.D. no. 106); and Yates center school district (U.S.D. no. 366).";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Education** recommends **SB 215**, As Amended by Senate Committee, be amended on page 1, following line 9, by inserting:

"Section 1. K.S.A. 2021 Supp. 8-267 is hereby amended to read as follows: 8-267. All moneys received under this act shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall:

(a) Credit 37.5% of all moneys so received from class C driver's licenses and 20% of all moneys so received from class M driver's licenses and 20% of all moneys so received from class A or B driver's licenses and 20% of all moneys so received from all commercial driver licensee classes remaining after the \$2 credit provided in subsection (c) to a special fund, which is hereby created and shall be known as the state safety fund;

(b) credit 20% of all moneys so received from class M driver's licenses to a special fund which is hereby created and shall be known as the motorcycle safety fund;

(c) credit \$2 from each commercial driver's license fee to a special fund which is hereby created and shall be known as the truck driver training fund;

(d) credit all photo fees collected under K.S.A. 8-243, and amendments thereto, to the photo fee fund;

(e) credit all hazardous materials endorsement fees collected under K.S.A. 2021 Supp. 8-2,151, and amendments thereto, to the hazmat fee fund; and

(f) credit the driver improvement clinic fees collected under K.S.A. 8-255, and amendments thereto, as follows:

(1) Credit 50% of each such fee to the division of vehicles operating fund; and

(2) credit 50% of each such fee to the correctional services special revenue fund.

Moneys in the state safety fund and in the motorcycle safety fund shall be distributed to provide funds for driver training courses in the schools and community colleges in Kansas and for the administration of this act, as the legislature shall provide. In addition, moneys in the motorcycle safety fund shall be distributed to provide funds for courses in motorcycle safety in community colleges in Kansas. Moneys in the truck driver training fund shall be distributed to provide funds for courses in truck driver training in community colleges, area vocational schools and area vocational-technical schools in Kansas. Except as otherwise provided by K.S.A. 8-241, and amendments thereto, the state treasurer shall credit the balance of all moneys received under this act, including all moneys received from commercial driver's license endorsements to the state highway fund.";

On page 8, in line 13, after "Supp." by inserting "8-267 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, after "Supp." by inserting "8-267 and"; and the bill be passed as amended.

Committee on **Energy, Utilities and Telecommunications** recommends **SB 19** be amended by substituting with a new bill to be designated as "House Substitute for SENATE BILL NO. 19," as follows:

"House Substitute for SENATE BILL NO. 19

By Committee on Energy, Utilities and Telecommunications

"AN ACT concerning public health; relating to the 988 suicide prevention and mental health crisis hotline; implementing such hotline in Kansas; authorizing the Kansas department for aging and disability services to provide oversight and support to Kansas hotline centers; prescribing hotline center duties for provision of services; duties for telecommunications service providers; establishing the 988 suicide prevention and mental health crisis hotline fund and transferring moneys annually thereto from the state general fund; 988 coordinating council.";

And the substitute bill be passed.

(**H Sub for SB 19** was thereupon introduced and read by title.)

Committee on **Federal and State Affairs** recommends **HB 2502** be amended on page 1, in line 22, before "for" by inserting ", if such premises are in the county where the retailer's premises are located or in an adjacent county or a county with a corner located within two miles measured along the adjacent county boundary,"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **Substitute for SB 34** be amended on page 7, in line 35, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 479** be amended on page 1, in line 30, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Insurance and Pensions** recommends **Substitute for SB 450** be passed.

Committee on **Insurance and Pensions** recommends **SB 377**, as amended by Senate Committee, be amended on page 16, in line 34, by striking "Kansas register" and inserting "statute book"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 419** be passed.

Committee on **Judiciary** recommends **HB 2736** be amended on page 1, in line 31, before "any" by inserting "in good faith";

On page 2, in line 4, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **K-12 Education Budget** recommends **HB 2512** be amended as recommended by the House Committee on K-12 Education Budget as reported in the Journal of the House on February 17, 2022, and the bill, as printed as Substitute for HB 2512, be further amended by substituting with a new bill to be designated as "Substitute for Substitute for HOUSE BILL NO. 2512," as follows:

"Substitute for Substitute for HOUSE BILL NO. 2512

By Committee on K-12 Education Budget

"AN ACT concerning education; making and concerning appropriations for fiscal years ending June 30, 2022, June 30, 2023, and June 30, 2024, for the state department of education; establishing the legislature's intention to focus on academic achievement;

enacting the every child can read act to support literacy proficiency by third grade; authorizing the state board of education and school districts to allow students to earn course credit through alternative educational opportunities outside the traditional classroom; making members of or persons employed by the Kansas state high school activities association mandatory reporters of child abuse and neglect; requiring the board of education of each school district to consider the district building needs assessment and state academic assessments when approving the budget of the school district; requiring school districts to allow for part-time enrollment of certain students; establishing an alternative method for calculating virtual school graduation rates; prohibiting virtual schools from offering or providing any financial incentives to entice a student to enroll; authorizing virtual school state aid for students who are credit deficient; amending the tax credit for low income students scholarship program to allow students who are seven years of age or under to participate in the program without the need for prior enrollment in a public school; requiring the state department of education to provide an annual written report on academic achievement outcomes; amending K.S.A. 38-2223, 72-3120, 72-3713 and 72-3715 and K.S.A. 2021 Supp. 72-1163, 72-4352, 72-5178 and 72-5462 and repealing the existing sections.";

And the substitute bill be passed.

(**Sub for Sub HB 2512** was thereupon introduced and read by title.)

Committee on **K-12 Education Budget** recommends **HB 2615** be amended as recommended by the House Committee on K-12 Education Budget as reported in the Journal of the House on February 21, 2022, and the bill, as printed as Substitute for HB 2615, be further amended on page 1, by striking all in lines 14 through 36;

By striking all on pages 2 through 10;

On page 11, by striking all in lines 1 through 39; in line 41, by striking "20" and inserting "2";

On page 13, in line 13, by striking all after the period; by striking all in line 14;

On page 16, in line 2, after "district" by inserting "as provided in this section."; in line 16, by striking "at any time during the school year" and inserting "(b) (1) A school district shall allow a nonresident student to enroll in and attend the schools of the school district if such student submits a nonresident student transfer application prior to September 10 of the school year such student seeks to enroll in and attend the schools of the district"; in line 18, by striking "20" and inserting "2"; in line 19, after the period by inserting "A school district may allow any nonresident student who submits a nonresident student transfer application on or after September 10 to enroll in and attend the schools of the school district pursuant to the policies adopted pursuant to section 2, and amendments thereto."; in line 32, by striking "20" and inserting "2"; in line 41, by striking "20" and inserting "2"; in line 43, by striking all after "(1)";

On page 17, by striking all in lines 1 through 10; in line 11, by striking "(2)"; in line 14, by striking "20" and inserting "2"; in line 20, by striking all after the period; by striking all in lines 21 through 23; in line 27, by striking "January, April, July and"; in line 31, by striking "each first day of January, April, July and October" and inserting "August 1 of each year";

On page 18, in line 15, by striking "20" and inserting "2";

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

On page 20, by striking all in lines 32 through 43;

By striking all on pages 21 through 29;

On page 30, by striking all in lines 1 through 10; in line 12, by striking the second comma and inserting "and"; also in line 12, by striking all after "72-3125";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the first semicolon; by striking all in lines 2 through 6; in line 7, by striking "classroom;"; in line 9, by striking the fifth comma and inserting "and"; in line 10, by striking "and 72-5134 and K.S.A. 2021 Supp. 79-32,117"; and the bill be passed as amended.

Committee on **K-12 Education Budget** recommends **HB 2662** be amended as recommended by the House Committee on K-12 Education Budget as reported in the Journal of the House on February 21, 2022, and the bill, as printed as Substitute for HB 2662, be further amended on page 4, in line 36, by striking "and"; in line 37, after "(8)" by inserting "the school district's policies, procedures and processes for suicide prevention including the school district's suicide awareness and prevention programming, training and crisis plans required pursuant to the Jason Flatt act in K.S.A. 72-6284, and amendments thereto; and

(9)";

Also on page 4; in line 40, after "(1)" by inserting "On and after July 1, 2023,";

On page 5, in line 16, by striking "2022" and inserting "2023";

On page 9, by striking all in lines 15 through 18; in line 19, by striking all before the period and inserting "as provided in section 2, and amendments thereto"; following line 24, by inserting:

"(f) Except as provided in subsection (g), the provisions of this section shall apply to any test, questionnaire, survey or examination described in subsection (a) that is administered or proposed to be administered to any student by any employee of a school district, including, but not limited to, any administrator, teacher, counselor, social worker, psychologist or nurse.

(g) Notwithstanding the provisions of this section, if any school district employee becomes aware that a student may be at risk of suicide by a credible report from the student, the student's peers or school staff, the school personnel who are designated by the school to administer a suicide risk assessment or screening tool may administer such risk assessment or screening tool in accordance with the provisions of this subsection to determine whether the student could be at risk for suicide. Such designated school personnel may include, but is not limited to, any administrator, teacher, counselor, social worker, psychologist or nurse. Prior to the administration of any such risk assessment or screening tool, the designated school personnel shall verbally notify the parent or guardian before the administration of such risk assessment or screening tool and obtain the consent of the parent or guardian. If the designated school personnel is unable to verbally notify the parent or guardian of the student and obtain consent after reasonable attempts to do so, the designated school personnel may administer the risk assessment or screening tool without such consent. If a risk assessment or screening tool is administered without the parent or guardian's consent, as soon as contact with the parent or guardian is made, the designated school personnel shall notify the parent or guardian of the administration of such assessment or screening tool and provide to the parent or guardian all information obtained from the risk assessment or screening tool administered to the student."; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2711** be amended on page 6, in line 11, after the period by inserting ""Food and food ingredients" includes bottled water, candy, dietary supplements, food sold through vending machines and soft drinks."; in line 12, by striking all after "beverages"; in line 13, by striking all before "or";

On page 16, in line 12, by striking "17.619%" and inserting "18%";

On page 22, in line 22, by striking "17.619%" and inserting "18%";

On page 23, in line 41, by striking "17.619%" and inserting "18%";

On page 25, in line 15, by striking "17.619%" and inserting "18%"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2732** be amended on page 3, following line 40, by inserting:

"(f) The sales tax, or portion thereof, levied pursuant to the Gage park improvement authority act shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.";

On page 7, in line 42, by striking all before the second "of" and inserting "benefit"; and the bill be passed as amended.

Committee on **Veterans and Military** recommends **SB 330** be passed.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 41**, by Representative John Wheeler Jr., in memory of Representative J. Russell Jennings for service to the State of Kansas and the Nation;

**Request No. 42**, by Representative Chuck Schmidt, honoring Victor Czarnecki, Mark Bradbury, Jeffery Van Wey, David Hale, Edward Acosta, Jeffery Logan, Ronald Weber, Larry Handy for service to the United States in decontaminating Enewetak Atoll in the 1970's. This group of 40 islands in the Pacific Ocean, the site of nuclear testing in the 1940's, were highly radioactive;

**Request No. 43**, by Representative Ken Rahjes, congratulating Ray and Donna Zillinger celebrating their 75<sup>th</sup> wedding anniversary;

**Request No. 44**, Representative Ron Ellis, commending Oskaloosa High School wrestling Team in recognition of outstanding accomplishments representing the Boys and Girls 1A State Wrestling tournaments;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

## COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Finch announced the appointment of Rep. Ralph to replace Rep. Concannon on Committee on Appropriations on March 17, 2022.

Also, the appointment of Rep. Thomas to replace Rep. Croft on Committee on Commerce, Labor and Economic Development on March 17, 2022.

Also, the appointment of Rep. Carmichael to replace Rep. Probst on Committee on Commerce, Labor and Economic Development on March 17, 2022.

Also, the appointment of Rep. Osman to replace Rep. Burroughs on Committee on Commerce, Labor and Economic Development on March 17, 2022.

Also, the appointment of Rep. Poskin to replace Rep. Burroughs on Committee on Appropriations on March 17, 2022.

**REPORT ON ENGROSSED BILLS**

**HB 2528** reported correctly engrossed March 16, 2022.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6024** reported correctly enrolled and properly signed on March 17, 2022.

On motion of Rep. Hawkins the House adjourned pro forma until 9:00 a.m. on Friday, March 18, 2022.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

