

# Journal of the House

## SEVENTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 31, 2024, 11:00 a.m.

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

The roll was called with 118 members present.

Reps. Helgerson, Highberger and Stogsdill were excused on verified illness.

Reps. Delperdang, Donohoe, Poetter Parshall and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Holmes:

Dear Father.

Our minds are often filled with so much information  
it becomes difficult to separate truth and falsehood.

We know what we want but desire it to be the right thing and not just the convenient.

Direct us in the path of truth and righteousness.

We pray for those who are sick from our assembly.

Might Your healing hand be upon them as they begin their recovery,  
so we can soon welcome them back.

In the following hours many will sit in a room and make decisions  
which impacts our State and its citizens.

Direct the dialogue, debate, and end result in such a way  
as to make our very livelihood in Kansas appealing and wholesome.

We pray for our women and men in uniform  
deployed on the front lines of danger.

We lift their families to You and ask that

You would provide comfort and assurance as only You can.

The book of Isaiah 43:18 says,

“Do not call to mind the former things, or ponder things of the past.  
Behold, I am doing something new.”

Help us to see with new eyes that which may have been hidden  
in our debates and discussions.

Thank you for our families and the love they have for us,  
even though we are often absent from them.

May we always cherish the moments we do have together.

Might each one here experience

Your love and cherish the moments they have with You.

I pray this in The Name of the One who loves each unconditionally.

Amen

The Pledge of Allegiance was led by Rep. Titus.

### **CELEBRATION OF KANSAS DAY**

In recognition of the 163rd birthday of Kansas on January 29<sup>th</sup>, Reps. Ballard and Bergquist led the members of the House in singing *Home on the Range*.

### **INTRODUCTION OF GUESTS**

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

Today I have with me here at the well and in the balcony – The Leavenworth High School JROTC Raider team. Here with me today are coaches 1SG Wayne Cogdill and Coach Edwards. Also joining us are Cadets; Katherine Edwards, Rayna Klutse, Jeremiah Purvis, Jonathan Purvis, Elisabeth Howell, Cristi Scillieri, Jacob Forrey and Gabrielle Ohwovoriole.

A couple months ago, in Molena, Georgia, the Leavenworth High School JROTC Raiders won the Raider National Champions for the fourth time in five years. This is a grueling, three-day competition, which includes a physical training test, a 5K run, and the one-rope bridge. They beat 94 other teams from across the country to win this Championship.

You might be asking yourself how a small city like Leavenworth could so consistently defeat so many teams from bigger cities from across the nation. It is definitely a testament to these kids, their hard work and determination to excel. But it is also about these coaches who sacrifice so much to inspire these kids to go a little bit faster, a little bit longer. And it is a testament to the parents of each one of these kids, who sacrifice so much of their time and money to make this teamwork day in and day out. And, finally, it is about the entire community of Leavenworth, Fort Leavenworth, and Lansing, that give so much of their time and treasure to support this team and give them the resources they need to win these Championships year after year.

But it is also about setting high expectations and standards for our kids. The success of this JROTC program—whether the Raider Team, the armed or unarmed drill teams, or the color guard—is squarely a result of the cadre of this program setting high standards, not compromising those standards, and inspiring these kids to rise, to meet and exceed them. Kids thrive when we expect more from them than they think they are capable of achieving. And this achievement we are recognizing today reflects that fact.

And so, on behalf of the Kansas House of Representatives, I am honored to present this tribute to the Leavenworth High School JROTC Raiders. Your hard work, dedication, and commitment to excellence reflect great credit on your team, Leavenworth High School JROTC, the City of Leavenworth, and the State of Kansas.

Rep. Proctor presented his guests with a framed House certificate in honor of their achievements.

### **INTRODUCTION OF GUESTS**

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

I come before you this morning to honor Ruth Ann Hackler.

She graduated from Overbrook High School in 1941. She received a Bachelor of Arts degree from Washburn and went on to teach business at Washburn Rural High School

and Olathe High School. She was married to Eugene Hackler, an attorney in Olathe for 50 years preceding his death. They have 3 daughters, Amy, Susan and Nancy.

Ruth Ann served on the Olathe School Board for 22 years – 10 of those as President or Vice President of the Olathe School Board. She was an Officer of the Kansas Association of School Boards from 1982 – 1985. A delegate to the National School Board, member of the Governor’s Education Cabinet, founding member of Johnson County Community College.

In 1990 she received a “Lifetime Achievement Award” from the Johnson County Parks and Rec 50+ Program. She had so much more to do!

That same year she was elected to this Body officially on Christmas Eve by 4 votes. Representing the 15<sup>th</sup> District in the Legislature, she served on the Education Committee, Public Health and Welfare, Governmental Organization, Joint Committee on Arts and Cultural Resources, Special Joint Committee on Children’s Initiatives and Joint Committee on Children and Families.

The Olathe Public Schools Alumni Association honored Ruth Ann with the Wall of Honor – Distinguished Person of Honor in 2014.

Of all the lists of accomplishments I reviewed to prepare – one of her proudest accomplishments was the successful implementation of “Be wise, Immunize.” Something we would all “be wise” to do to this day.

This GIANT turns 100 years old this Friday.

#### **INTRODUCTION OF GUESTS**

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

Dennis Shry started his career in EMS as a First Responder at the Lyndon Station of the Osage County Fire Department in 1993 when he was 38. In 2004, Dennis was awarded the Star of Life in recognition of his service above and beyond the call of duty by the American Ambulance Association. He is the first to arrive, and the last to leave. Though he is a man of few words, Dennis has the ability to put patients of all ages at ease, providing comfort and stability in times of turmoil and stress. Dennis is a resident of Overbrook, Kansas. At the age of 68, Dennis is still unsure as to when he will retire as this job provides him lots of joy. Dennis says, “I enjoy doing it. It doesn’t feel like work. I just like helping people.”

#### **INTRODUCTION OF GUESTS**

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

82% of a school-age youth’s waking hours are spent out of school. Boys & Girls Clubs provides essential out-of-school time services. 73 Club site locations across the state of Kansas, serving 10,820 youth and teens, not only provide safe, affordable, and quality programs, critical for working families but are actively preparing kids and teens to graduate high school with the skills, confidence, and pathways necessary for a robust future. Whether it’s a trade school, college, military enrollment, or straight into a career, Club teens are ready to succeed in work and life.

Since 1955, Our Capitol’s Club - Boys & Girls Clubs of Topeka has been meeting the needs of families and providing safe, affordable, and quality programs. BGCT supports

2,805 youth, from every school district across Topeka and Shawnee County in 14 Club site locations in assuring access to programs, services, and supports that enable all young people, especially those who need us most, to reach their full potential as productive, caring, and responsible citizens.

BGCT operates a center for middle and high school students out of a leased community center that had been shuttered. The focus is on advancing skill sets and strengthening and guiding pathways after graduation necessary for our city and states' future. Youth today will determine the health and success of our state tomorrow. They are tomorrow's leaders, laborers, and learners. The need for this type of program for middle and high school students has exceeded our capacity and a recent acquisition of property, in east Topeka will become home to a Workforce Readiness, Career, and Leadership Development Center to expand our reach, support the workforce needs, and propel futures that will drive systems change. This property, a blighted, and neglected plot was contributing to the overall health of the neighborhood and the East side of town.

BGCT knew that to tackle the initial clean up an army of champions was needed. Enter our team of champions – **AmeriCorps National Civilian Community Corps**. A dedicated group of young people from ages 18-24, who are committed to serving in a 10-month team-based residential program, working with communities and supporting a variety of public-private partnerships and governmental collaboration to address local challenges through service. They have not only invested hours in BGCT neighborhood improvement commitment, but they have been role models and supports for our staff, Club kids, teens, and our community.

America was founded on a promise of opportunity. When we build stronger communities, we help make this promise a reality, for every individual to succeed. Especially in times of adversity, we find the courage to unite and overcome, helping communities prosper together. This is what AmeriCorps is built for, bringing all Americans together. Working alongside each other for the betterment of every community. Ensuring that everyone gets the help they need, and the opportunities they deserve.

Please meet BGCT's project manager Mr. Leroy Alston and AmeriCorps Water 3 Team. Rep. Schlingensiepen then introduced; Gus Kaufman, team leader, Camille Odell, Makayla Wade, Nolan Kaufman, Devin McCullough, Jakob Edgar, Alyssa Torres, Sydney George and Jin Clayton.

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

The following bills were introduced and read by title:

**HB 2638**, AN ACT concerning real property; relating to the conveyance thereof; requiring the attorney general to investigate such conveyances; prohibiting the conveyance of title to certain real property to foreign adversaries and establishing criminal penalties for violations therefor, by Committee on Agriculture and Natural Resources.

**HB 2639**, AN ACT concerning the revised Kansas juvenile justice code; prohibiting the use of restraints during hearings; authorizing exceptions if the court makes certain findings on the record; defining hearing under the code; amending K.S.A. 38-2353 and K.S.A. 2023 Supp. 38-2302 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2640**, AN ACT concerning research at Kansas public postsecondary educational institutions; creating the Kansas strategic research act; establishing the Kansas strategic research fund; making transfers to such fund; prescribing guidelines for the expenditure of moneys credited thereto and the powers, duties and functions of the state board of regents; requiring annual reports to certain committees of the legislature, by Committee on Commerce, Labor and Economic Development.

**HB 2641**, AN ACT concerning education; relating to school districts; requiring boards of education of school districts to adopt policies and procedures to prohibit students' use of privately owned electronic communication devices during school hours; allowing the use under certain circumstances, by Committee on Education.

**HB 2642**, AN ACT concerning health professions and practices; relating to the regulation of dentists; Kansas dental board; requiring a dentist to establish a bona fide relationship with a patient before providing dental services; prohibiting dental service contracts that limit a patient's ability to file a complaint with the board; updating certain provisions of the Kansas dental practices act; amending K.S.A. 65-1430 and 65-1467 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2643**, AN ACT concerning health and healthcare; relating to laser hair removal; creating the laser hair removal act; restricting the practice thereof to certain medical professionals, by Committee on Health and Human Services.

**HB 2644**, AN ACT concerning the state board of regents; relating to certain scholarship programs administered by the board; establishing uniform interest rate provisions for scholarship programs that include repayment obligations as a condition of receipt of such financial assistance; authorizing the board to recover the costs of collecting such repayment obligations; authorizing the board to charge fees to cover the costs of administering scholarship, grant and other financial assistance programs; amending K.S.A. 74-3260, 74-3267, 74-3272, 74-3295, 74-32,104, 74-32,116, 74-32,135, 74-32,153, 74-32,154 and 74-32,223 and K.S.A. 2023 Supp. 74-32,276 and 74-32,286 and repealing the existing sections, by Committee on Education.

**HB 2645**, AN ACT concerning postsecondary education; relating to the nursing service scholarship program; removing limits on the amount of scholarship awards and the number of scholarships; removing the requirement to obtain a sponsor; modifying the terms and conditions for interest accrual on repayment obligations; abolishing the nursing service scholarship review committee; amending K.S.A. 74-3292, 74-3293, 74-3294, 74-3295, 74-3296, 74-3297 and 74-3298 and repealing the existing sections; also repealing K.S.A. 74-3299, by Committee on Education.

**HB 2646**, AN ACT concerning postsecondary education; relating to the Kansas hero's scholarship act; modifying the financial limitations on the award of scholarships under the act; expanding the eligibility requirements for a scholarship; amending K.S.A. 2023 Supp. 75-4364 and repealing the existing section, by Committee on Education.

**HB 2647**, AN ACT concerning rural communities in Kansas; creating the Kansas rural downtown revitalization act; establishing the rural downtown revitalization fund; making transfers to such fund; prescribing guidelines for the expenditure of moneys credited thereto and the duties of the department of commerce and the director of Kansas main street; requiring annual reports to certain committees of the legislature, by Committee on Commerce, Labor and Economic Development.

**HB 2648**, AN ACT concerning administrative rules and regulations; requirements for adoption of rules and regulations; relating to economic impact statements; requiring

legislative ratification for certain rules and regulations; requiring the director of the budget to review an agency's determination of implementation and compliance costs and disapprove proposed rules and regulations with incomplete or inaccurate economic impact statements; amending K.S.A. 2023 Supp. 77-415, 77-416 and 77-420 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2649**, AN ACT concerning the attorney general; requiring the attorney general to submit an annual report to certain legislative committees regarding coordinated law enforcement agency training on missing and murdered indigenous persons; amending K.S.A. 2023 Supp. 75-774 and repealing the existing section, by Representative Haswood.

**HB 2650**, AN ACT concerning education; relating to school districts; requiring each school district to submit annually to the state board of education an at-risk student accountability plan and show longitudinal academic improvement in certain student subgroups and students identified as eligible for at-risk programs and services; revising the definition of evidence-based instruction relating to the provision of at-risk programs and services; removing the requirement that the state board of education approve and publish a list of evidence-based at-risk educational programs; requiring the state board of education to publish an online guidance resource for at-risk educational programs; prohibiting the state board of education from revising curriculum standards in English language arts and mathematics until 75% of all students achieve academic proficiency; requiring school districts to be in compliance with all state laws and rules and regulations to maintain accreditation; amending K.S.A. 2023 Supp. 72-5153 and 72-5170 and repealing the existing sections, by Committee on K-12 Education Budget.

**HB 2651**, AN ACT concerning agriculture; relating to farm tenancies; requiring a third party that causes damage to crops or land to notify the landowner of such damage, request documentation of existing tenants of such land and to reimburse such landowner and any such tenant in accordance with the existing land lease agreement, by Committee on Appropriations.

**HB 2652**, AN ACT requiring the display of the national motto in public buildings, by Committee on Federal and State Affairs.

**HB 2653**, AN ACT concerning children and families; relating to orders of child support; providing for child support for unborn children from the date of conception; amending K.S.A. 20-165, 23-2205 and 23-3001 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2654**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; calculation of confinement; excluding certain types of incarceration time from the allowance of time against a person's criminal sentence; amending K.S.A. 21-6615 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2655**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; requiring automated expungement of certain records; sealing such records from public view and limiting disclosure thereof; amending K.S.A. 21-6614 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2656**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving motor vehicles; creating the crime of engaging in a street stunt and providing criminal penalties therefor; adding engaging in a street stunt to the list of

crimes included in fleeing or attempting to elude a police officer; amending K.S.A. 8-1568 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2657**, AN ACT concerning the Kansas state fair board; relating to membership thereof; requiring at least one member to be a resident of Reno county; amending K.S.A. 2023 Supp. 74-520a and repealing the existing section, by Representatives Waggoner, Murphy, Probst and Seiwert.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Child Welfare and Foster Care: **HB 2628, HB 2629.**  
 Corrections and Juvenile Justice: **HB 2630.**  
 Energy, Utilities and Telecommunications: **HB 2620, HB 2621.**  
 Federal and State Affairs: **HB 2632.**  
 Health and Human Services: **HB 2622, HB 2637.**  
 Local Government: **HB 2626.**  
 Taxation: **HB 2635, HB 2636.**  
 Transportation: **HB 2631.**  
 Veterans and Military: **HB 2623, HB 2624, HB 2625.**  
 Water: **HB 2633, HB 2634.**  
 Welfare Reform: **HB 2627.**

### CHANGE OF REFERENCE

Speaker pro tem Carpenter announced the withdrawal of **HB 2476** from Committee on Agriculture and Natural Resources and referral to Committee on Federal and State Affairs.

### CONSENT CALENDAR

No objection was made to **HB 2545** appearing on the Consent Calendar for the first day.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 15** submits the following report:

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

On page 1, by striking all in lines 7 through 32; following line 32 by inserting "New Section 1. As used in sections 1 through 3, and amendments thereto:

(a) "Kansas sheltered workshop employer" or "workshop employer" means a private nonprofit, state or local government institution that provides employment opportunities for individuals with intellectual, developmental or physical disabilities and provides such employment opportunities for all or a portion of such individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c).

(b) "Secretary" means the secretary of labor.

New Sec. 2. (a) There is hereby created in the state treasury the Kansas sheltered workshop transition fund. The secretary of labor shall administer the fund. All expenditures from the fund shall be for the purpose of facilitating transitions by Kansas sheltered workshop employers away from employing individuals with disabilities under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c) and toward paying all such employees at least the minimum wage. Such purpose shall be achieved by providing matching grants from fund moneys to Kansas sheltered workshop employers that commit to paying at least the minimum wage to all employees. A grant shall be matched on a \$1-to-\$1 basis by the Kansas sheltered workshop employer from nonstate sources.

(b) Applications for matching grants shall be made by Kansas sheltered workshop employers to the secretary in the form and manner required by the secretary. In determining whether applicants should be approved and receive a grant, the secretary shall seek the assistance of the secretary for children and families, the secretary for aging and disability services or any other appropriate state agency. The secretary for children and families, secretary for aging and disability services or other state agency shall provide such assistance to the secretary as requested by the secretary. The applicant shall provide a transition plan to the secretary demonstrating how the applicant will use the grant and other funding to transition away from use of a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c). The Kansas sheltered workshop shall commit to completing the plan to receive a grant. If the secretary approves the transition plan, finds that the Kansas sheltered workshop has sufficient nonstate funding to match the grant with nonstate funds on a \$1-to-\$1 basis and approves the application, the secretary shall award the Kansas sheltered workshop a matching grant in the amount determined by the secretary. The secretary may award subsequent additional grants to the same Kansas sheltered workshop employer upon satisfactory progress shown by such workshop employer pursuant to the workshop employer's transition plan.

(c) Kansas sheltered workshop employers that receive a matching grant shall provide such information to the secretary as requested, excluding any information prohibited from disclosure under state or federal law, regarding the use of grant funds, use of associated nonstate funds and progress made toward achievement of the transition plan as developed pursuant to subsection (b). Such information shall be utilized by the secretary to analyze and monitor the use of grant funds and compliance with and progress toward completion of the transition plan by workshop employers and to develop best uses of grant funds and transition methods to attain the goal of sections 1 through 3, and amendments thereto.

(d) On or before January 31, 2025, and annually on or before January 31 thereafter, the secretary shall report to the house of representatives standing committee on commerce, labor and economic development or its successor committee and the senate standing committee on commerce or its successor committee on the amount and uses of grant funding by each Kansas sheltered workshop employer that has received a matching grant and the progress made by each Kansas sheltered workshop employer toward the goal of sections 1 through 3, and amendments thereto.



(e) All expenditures from the Kansas sheltered workshop transition fund shall be for the purpose described in subsection (a) and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of labor or the secretary's designee.

(f) On July 1, 2024, and each July 1 thereafter, or as soon thereafter as moneys may be available, the director of accounts and reports shall transfer \$1,000,000 from the state economic development initiatives fund established by K.S.A. 79-4804, and amendments thereto, to the Kansas sheltered workshop transition fund.

New Sec. 3. The provisions of sections 1 through 3, and amendments thereto, shall expire on July 1, 2034. On July 1, 2034, the director of accounts and reports shall transfer all unencumbered moneys in the Kansas sheltered workshop transition fund to the state general fund. After such transfer, the Kansas sheltered workshop transition fund shall be abolished and all liabilities of the Kansas sheltered workshop transition fund shall be transferred to and imposed on the state general fund.

Sec. 4. K.S.A. 79-32,273 is hereby amended to read as follows: 79-32,273. (a) ~~For tax years 2019 through 2023,~~ The provisions of this section shall be known and may be cited as the disability employment act.

(b) ~~A credit shall be allowed against the tax imposed by the Kansas income tax act in an amount equal to 15% of the amount for expenditures of goods and services purchased by the taxpayer from a qualified vendor on and after January 1, 2019, and before January 1, 2024 including such expenditures made on and after January 1, 2024, but prior to the effective date of this act,~~ as certified by the secretary of commerce as provided in subsection ~~(e)~~ (d). The amount of such credit awarded for each taxpayer shall not exceed \$500,000 per qualified vendor per tax year. In no event shall the total amount of cumulative credits allowed under this section exceed:

- (1) \$5,000,000 for tax years 2019 through 2023;
- (2) \$8,000,000 for all tax years that the credit remains in effect 2024 through 2028;  
and
- (3) \$8,000,000 for each consecutive five tax years thereafter starting with tax year 2029.

~~(b)(c)~~ (c) The tax credit allowed by this section shall be deducted from the taxpayer's income tax liability for the tax year in which the expenditures were made by the taxpayer. If the amount of such tax credit exceeds the taxpayer's income tax liability for such tax year, the taxpayer may carry over the amount that exceeds such tax liability for deduction from the taxpayer's liability in the next succeeding tax year or years until the total amount of the tax credit has been deducted from tax liability, except that no such tax credit shall be carried over for deduction after the fourth tax year succeeding the tax year in which the expenditures were incurred.

~~(e)(d)~~ (d) The secretary of commerce shall annually certify that expenditures for goods and services purchased by a taxpayer subject to the tax credit provided in this section were made from a qualified vendor, and provide such certification to the secretary of revenue. The secretary of commerce is hereby authorized to promulgate rules and regulations for establishing criteria based on the provisions of K.S.A. 75-3317 et seq., and amendments thereto, for evaluating whether purchases by taxpayers from a qualified vendor should be certified as provided in this section, with the assistance and approval of the secretary of revenue.

~~(d)~~(c) As used in this section:

(1) ~~"Certified business"~~"Qualified vendor" means:

~~(A) Any business certified by the department of administration that qualifies as a certified business pursuant to K.S.A. 75-3740, and amendments thereto, and is a not-for-profit business that~~ is a sole proprietorship, partnership, association or corporation domiciled in Kansas, or any corporation, even if a wholly owned subsidiary of a foreign corporation, that:

~~(A)~~(i) Does business primarily in Kansas or substantially all of its production in Kansas;

~~(B)~~(ii) employs at least 30% of its employees in an integrated setting who are individuals with disabilities and reside in Kansas;

~~(C)~~(iii) offers to contribute at least 75% of the premium cost for individual health insurance coverage for each eligible employee. The department of administration shall require a certification of these facts; and

~~(D)~~(iv) does not employ individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c);

~~(B)~~ qualifies as a qualified vendor pursuant to K.S.A. 75-3317, and amendments thereto, and also:

(i) Employs at least 30% of its employees in an integrated setting;

(ii) offers to contribute at least 75% of the premium cost for individual health insurance coverage for each eligible employee or offers a qualified company-sponsored insurance plan under the affordable care act or pays the required subsidy to the internal revenue service for employees who purchase insurance through the open market, if a company-sponsored plan is not offered. If any such company is not covered under the affordable care act and does not offer a company-sponsored insurance plan, such company must offer assistance to the employee to cover at least 75% of their health insurance costs through a health savings account or other legal and appropriate methodology; and

(iii) does not employ individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c); or

(C) a division within a Kansas not-for-profit organization that:

(i) Does business primarily in Kansas or substantially all of its production in Kansas;

(ii) within such division, employs in an integrated setting at least 30% of its employees who are individuals with disabilities and reside in Kansas;

(iii) within such division, offers to contribute at least 75% of the premium cost for individual health insurance coverage for each eligible employee or offers a qualified company-sponsored insurance plan under the affordable care act or pays the required subsidy to the internal revenue service for employees who purchase insurance through the open market, if a company-sponsored plan is not offered. If any such company is not covered under the affordable care act and does not offer a company-sponsored insurance plan, such company must offer assistance to the employee to cover at least 75% of their health insurance costs through a health savings account or other legal and appropriate methodology; and

(iv) does not employ individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c) and the Kansas not-for-profit organization, including any other division within the Kansas not-for-profit organization, does not

employ individuals under such a certificate.

(2) "individuals with disabilities" or "individual with a disability" means any individual who:

(A) Is certified by the Kansas department for aging and disability services or by the Kansas department for children and families, which administers the rehabilitation services program or by a healthcare provider determined by the secretary of revenue, that shall include, but is not limited to, medical doctors, doctors of osteopathy, physician assistants, nurse practitioners, physical therapists, occupational therapists and optometrists who can substantiate an individual as having a physical or mental impairment that constitutes a substantial barrier to employment; and

~~(B) works a minimum number of hours per week for a certified business necessary to qualify for health insurance coverage offered pursuant to subsection (d)(1); and~~

~~(C) (i) is receiving services, has received services or is eligible to receive services under a home and community based services program, as defined by K.S.A. 39-7,100, and amendments thereto;~~

~~(ii) is employed by a charitable organization domiciled in the state of Kansas and exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended; or~~

~~(iii) is an individual with a disability pursuant to the disability standards established by the social security administration as determined by the Kansas disability determination services under the Kansas department for children and families; and~~

~~(3) "qualified vendor" means an entity that:~~

~~(A) Is a "qualified vendor" pursuant to K.S.A. 75-3317, and amendments thereto; or is a "certified business" that is also a nonprofit organization pursuant to K.S.A. 75-3740, and amendments thereto;~~

~~(B) pays minimum wage or above to all their employees in a manner that meets the definition of "competitive employment" pursuant to K.S.A. 44-1136, and amendments thereto;~~

~~(C) meets the definition of employing all of their workers in an "integrated setting" pursuant to K.S.A. 44-1136, and amendments thereto; and~~

~~(D) offers a qualified company-sponsored insurance plan under the affordable care act or pays the required subsidy to the internal revenue service for employees who purchase insurance through the open market, if a company-sponsored plan is not offered. If any such company is not covered under the affordable care act, and does not offer a company-sponsored insurance plan, such company must offer assistance to the employee to cover at least 75% of their health insurance costs through a health savings account or other legal and appropriate methodology.~~

~~(e)(f) The secretary of revenue shall report to the house committee on taxation and the senate committee on assessment and taxation on or before February 1, 2021, 2022, and 2023, concerning the implementation and effectiveness of the credit provided in this section.":~~

Also on page 1, in line 33, by striking "40-247" and inserting "79-32,273";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the semicolon and inserting "employment; relating to persons with disabilities; increasing the maximum yearly amount of income tax credits available for purchases under the disability employment act from qualified

vendors and continuing in existence such credits beyond tax year 2023; defining qualifying vendors and eligible employees; establishing a grant program administered by the secretary of labor to facilitate transitions from sub-minimum to at least minimum wage employment for persons with disabilities; creating the Kansas sheltered workshop transition fund"; in line 4, by striking "40-247" and inserting "79-32,273";

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

SEAN TARWATER

LES MASON

JASON PROBST

*Conferees on part of House*

CARYN TYSON

VIRGIL PECK

ETHAN CORSON

*Conferees on part of Senate*

On motion of Rep. Mason, the conference committee report on **SB 15** was adopted.

On roll call, the vote was: Yeas 117; Nays 1; Present but not voting: 0; Absent or not voting: 7.

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

Nays: Ruiz, S..

Present but not voting: None.

Absent or not voting: Delperdang, Donohoe, Helgerson, Highberger, Poetter, Stogsdill, Winn.

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

## COMMITTEE OF THE WHOLE

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

Recommended that:

Committee report recommending a substitute bill to **HB 2103** be adopted; and **Sub HB 2103** be passed.

**REPORTS OF STANDING COMMITTEES**

Committee on **Appropriations** recommends **HB 2495** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2611** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2544** be amended on page 1, in line 15, by striking "on a full-time basis" and inserting "who is a resident of Kansas"; also in line 15, by striking "current"; in line 30, after "for" by inserting "the total";

On page 2, in line 11, by striking all after "act"; in line 12, by striking "\$5,000"; in line 14, after the period by inserting "The credit shall be 10% of the amount of prorated compensation earned by the qualified employee from any qualified employer during the taxable year. The compensation shall be prorated based on the number of entire months that the qualified employee is a member in good standing of the Kansas army or air national guard during the taxable year, determined on the basis of the date of separation from the Kansas army or air national guard. If the qualified employee is dishonorably discharged, discharged under other than honorable conditions or discharged for bad conduct from the Kansas army or air national guard, no credit shall be allowed. The maximum amount of the credit allowed to a qualified employee each taxable year shall be \$5,000.";

And the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2522** be amended on page 1, in line 23, by striking all before the comma and inserting "An identification card issued pursuant to K.S.A. 8-1324 et seq."; and the bill be passed as amended.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Carpenter announced the appointment of Rep. Francis to replace Rep. Delperdang on Committee on Transportation and Public Safety Budget on January 31, 2024.

Also, the appointment of Rep. Haskins to replace Rep. Woodard on Committee on Higher Education Budget on February 1, 2024.

Also, the appointment of Rep. V. Miller to replace Rep. Woodard on Committee on Elections on February 1, 2024.

Also, the appointment of Rep. Winn to replace Rep. V. Miller on Committee on Federal and State Affairs until further notice.

Also, the appointment of Rep. Haskins to replace Rep. Poskin on Committee on K-12 Budget on February 1, 2024.

On motion of Rep. Croft, the House adjourned until 11:00 a.m., Thursday, February 1, 2024.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

