

Journal of the House

TWENTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 17, 2025, 11:00 a.m.

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

The roll was called with 119 members present.

Reps. Roth, Stogsdill and Wilborn were excused on verified illness.

Reps. Awerkamp, Poetter Parshall and Tarwater were excused on excused absence by the Speaker.

Prayer by Chaplain Holmes:

Good Morning Father.

Thank You for the rest and comfort of this past weekend.

With refreshed minds and rested bodies we embrace a new week.

For those in our midst who have found the last few days to be less than refreshing, let us remember the words of Isaiah, when he said “Have you not heard?

The everlasting God, the Lord, the Creator of the ends of the earth, does not become weary or tired. His understanding is inscrutable .

He gives strength to the weary, and to him who lacks might,

He increases power. Though youths grow weary and tired, and vigorous young men stumble badly,

Yet those who wait for the Lord will gain new strength; they shall mount up with wings like eagles, they will run and not get tired, they will walk and not become weary.”

Give us patience O Lord, with You, and with our colleagues and families.

We are thankful You never get tired of hearing from us!

Thank You for your understanding which is so far beyond our own!

I pray for the weary today, and ask that You might provide new strength.

For the one wrestling with health issues, I pray for Your healing touch.

For those who have stumbled, and are experiencing self recrimination,

I pray You would forgive and restore.

Thank You for every leader in this chamber,

as they seek to do their very best for the people of Kansas.

Give clarity of thought and purpose as new bills are introduced and debated.

Help us to be patient with one another, as You are patient with us.

And, when we are short of patience, help us to display grace and understanding.

I ask this in Jesus Name. Amen.

The Pledge of Allegiance was led by Rep. Turk

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2387, AN ACT concerning income taxation; relating to credits; extending the number of years of availability of the income tax credit for contributions to friends of cedar crest association; amending K.S.A. 2024 Supp. 79-32,275 and repealing the existing section, by Committee on Taxation.

HB 2388, AN ACT concerning sales taxation; relating to exemptions; providing a sales tax exemption for purchases and sales made by the friends of cedar crest association; amending K.S.A. 2024 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2386**.

Taxation: **HB 2385**.

CHANGE OF REFERENCE

Speaker Hawkins announced the withdrawal of **HB 2290**, **HB 2293**, **HB 2294** from Committee on Appropriations and referral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2346** from Committee on Commerce, Labor and Economic Development and referral to Committee on Federal and State Affairs.

Also, the withdrawal of **HB 2131**, **HB 2348**, **HB 2349** from Committee on Judiciary and referral to Committee on Federal and State Affairs.

Also, the withdrawal of **HB 2152** from Committee on Financial Institutions and Pensions and referral to Committee on Federal and State Affairs.

Also, the withdrawal of **HB 2149** from Committee on Energy, Utilities and Telecommunications and referral to Committee on Federal and State Affairs.

CONSENT CALENDAR

No objection was made to **HB 2022** appearing on the Consent Calendar for the first day.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2110**, **HB 2170**, **HB 2117**, **HB 2169**, **HB 2215** be passed.

Committee report to **HB 2031** be adopted; and the bill be passed as amended.

Committee report to **HB 2124** be adopted; and the bill be passed as amended.

Committee report to **HB 2185** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **HB 2145** be adopted; and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2064** be passed.

Committee on **Appropriations** recommends **HB 2007** be amended by substituting with a new bill to be designated as "Substitute for HOUSE BILL NO. 2007," as follows:

"Substitute for HOUSE BILL NO. 2007

By Committee on Appropriations

"AN ACT .making and concerning appropriations for the fiscal years ending June 30, 2025, June 30, 2026, and June 30, 2027, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2024 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-8711, 74-99b34, 76-775, 76-7,107, 76-7,155, 79-2989, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections. ";

And the substitute bill be passed.

(**Sub Bill for HB 2007** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2327** be amended on page 1, in line 35, by striking the colon;

On page 2, by striking all in lines 1 and 2; in line 3, by striking all before "a" and inserting a comma; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SCR 1602**, As Amended by Senate Committee of the Whole, be adopted.

Committee on **Federal and State Affairs** recommends **HB 2164** be passed.

Committee on **Health and Human Services** recommends **HB 2159** be amended on page 1, in line 32, by striking "\$4,000,000" and inserting "\$500,000";

On page 2, in line 7, by striking "(A)"; in line 10, before "and" by inserting "any law enforcement officer, as defined by K.S.A. 22-2202, and amendments thereto,"; by striking all in lines 12 and 13; in line 14, by striking "(A)"; by striking all in lines 17 and 18;

On page 3, following line 42, by inserting:

"(3) A law enforcement agency shall be exempt from this subsection unless such law enforcement elects to provide an emergency opioid antagonist dispensed or furnished pursuant to the opioid antagonist protocol in subsection (b).";

On page 4, by striking all in lines 21 through 27; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2217** be amended on page 2, in line 12, by striking the comma and inserting "and"; in line 13, by striking all after "program"; in line 14, by striking all before the period; and the bill be passed as amended.

Committee on **Higher Education Budget** recommends **HB 2195** be passed.

Committee on **Higher Education Budget** recommends **HB 2248** be amended on page 1, in line 9, by striking all after "institution"; by striking all in lines 10 through 14; in line 15, by striking all before the period and inserting "means a postsecondary educational institution with a physical presence in Kansas that offers a course of instruction in nursing that is both nationally accredited and approved by the board of

nursing"; in line 21, by striking "for"; by striking all in lines 22 and 23; in line 24, by striking all before the period; also in line 24, after the period by inserting "The state board shall require a funding match on a dollar-for-dollar basis in order for an institution to be eligible to receive a grant under this program."; in line 25, by striking all after "(c)"; by striking all in lines 26 through 35;

On page 2, by striking all in lines 1 through 7; in line 8, by striking all before the period and inserting "Grants from the program to postsecondary educational institutions may be used for, but shall not be limited to, the following:

- (1) Supplies and equipment needed to deliver courses in the nursing program;
- (2) salaries for instructors in the nursing program, including adjunct clinical instructors;
- (3) funding for additional faculty in the nursing program;
- (4) professional development for instructors in the nursing program;
- (5) student support services, including, but not limited to, NCLEX test prep and practice testing, tutoring and study skills; and
- (6) funding for student support that may impact a student's ability to attend and complete the program, including, but not limited to, childcare services";

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

On page 1, in the title, in line 3, by striking all after "grants"; by striking line 4; in line 5, by striking all before the period and inserting "to support postsecondary educational institutions with various instructional and student support costs for nursing courses in programs approved by the board of nursing";

And the bill be passed as amended.

Committee on **Insurance** recommends **HB 2128** be amended on page 14, in line 32, before "transactions" by inserting "material"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2242** be passed.

Committee on **Judiciary** recommends **HB 2323** be amended on page 1, in line 22, by striking all after "the"; in line 23, by striking "regulation" and inserting "state general"; in line 29, by striking "department of"; also in line 29, after the second "insurance" by inserting "department"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2371** be amended on page 31, in line 34, by striking the second "and"; also in line 34, after "sued" by inserting "and otherwise conduct business and exercise the power of a limited liability company under this article. The limited liability company and any of its series may elect to consolidate its operations as a single taxpayer to the extent required to file consolidated tax returns as permitted under applicable law and elect to be treated as a single business for the purposes of qualification or authorization to do business in this or any other state. Such elections shall not affect the limitation of liability set forth in this section except to the extent that the series have specifically accepted joint liability by contract";

On page 32, in line 15, after "rights" by inserting "or ability to otherwise participate in the management or governance of such series, but any such member or class or group of members are owners of the series"; in line 30, after "manager" by inserting "or managers"; in line 31, after "manager" by inserting "or managers";

On page 38, following line 21, by inserting:

"(h) An operating agreement may impose restrictions, duties and obligations on

members of the limited liability company or any series thereof as a manner of internal governance, including, without limitation, those with regard to:

- (1) Choice of law, forum selection or consent to personal jurisdiction;
- (2) capital contributions;
- (3) restrictions on, or terms and conditions of, the transfer of membership interests;
- (4) restrictive covenants, including noncompetition, nonsolicitation and confidentiality provisions;
- (5) fiduciary duties; and
- (6) restrictions, duties or obligations to or for the benefit of the limited liability company, other series thereof or their affiliates.

(i) The wrongful transfer of property from a series to another series or the limited liability company as a whole with intent to hinder, delay or defraud creditors of their just and lawful debts or damages, or to defraud, shall be subject to K.S.A. 33-102, and amendments thereto.";

On page 1, in the title, in line 8, after the first semicolon by inserting "relating to series limited liability companies; authorizing a limited liability company and any of its series to elect to consolidate its operations as a single taxpayer and elect to be treated as a single business for certain purposes; permitting operating agreements to impose restrictions, duties and obligations on members; specifying that wrongful transfer of property with intent to hinder, delay or defraud creditors or to defraud shall be deemed void;"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2099** be amended on page 1, in line 22, after "(c)" by inserting "(1)"; also in line 22, by striking "A city or county" and inserting "By the adoption of an ordinance, the city of Topeka"; in line 24, by striking "governmental rental subsidies" and inserting "direct public financial assistance for tenant rent"; also in line 24, by striking "or county"; in line 27, by striking "or county"; in line 28, by striking "a" and inserting "the"; also in line 28, by striking "or county"; following line 29, by inserting:

"(2) As used in this section, "direct public financial assistance" means a financial payment or consideration from the United States department of housing and urban development.

(3) The provisions of this subsection shall expire on July 1, 2030.";

On page 1, in the title, in line 1, by striking all after the semicolon; by striking all in line 2; in line 3, by striking all before the semicolon and inserting "authorizing the city of Topeka to conduct code inspections when the property owner receives direct public financial assistance from the United States department of housing and urban development";

And the bill be passed as amended.

Committee on **Welfare Reform** recommends **HB 2240** be amended on page 1, in line 9, after "implement" by inserting ":

(1) (A)";

Also on page 1, in line 15, after the period by inserting:

"(B)";

Also on page 1, in line 17, after "2025" by inserting "; or

(2) any changes to funding structures, day services or targeted case management services for persons with intellectual or developmental disabilities unless the legislature

expressly consents to and approves of such changes by an act of the legislature";

Also on page 1, in line 18, after "(b)" by inserting "(1) When the legislature is not in session, a state agency may request approval from the legislative coordinating council to authorize a medicaid state plan, state plan amendment, state demonstration or waiver or changes to funding structures, day services or targeted case management services for persons with intellectual or developmental disabilities.

(2) Pursuant to K.S.A. 46-1202, and amendments thereto, the legislative coordinating council may approve or refuse an agency's request or designate a standing committee or special committee to review an agency's request and make recommendations to the legislative coordinating council based on the committee's review.

(c)";

Also on page 1, in the title, in line 5, after "state" by inserting "or changes funding structures and services for persons with intellectual disabilities; delegating approval of such plans and changes to the legislative coordinating council when the legislature is not in session"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker Hawkins announced the appointment of Rep. Hoheisel to replace Rep. Tarwater on Committee on Legislative Post Audit for February 17, 2025.

Also, the appointment of Rep. Woodard to replace Rep. Poskin on Committee on Commerce, Labor and Economic Development for February 17, 2025.

Also, the appointment of Rep. Schlingensiepen to replace Rep. Stogsdill on Committee on Education for February 17, 2025.

REPORT ON ENGROSSED BILLS

HB 2018, HB 2069, HB 2070 reported correctly engrossed February 14, 2025.

HB 2106, HB 2206 reported correctly engrossed February 17, 2025.

On motion of Rep. Croft, the House adjourned until 9:30 a.m., Tuesday, February 18, 2025.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

