

Journal of the House

FIFTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 30, 2021, 10:00 a.m.

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

The roll was called with 124 members present.

Rep. Howard was excused on verified illness.

Excused later: Rep. Croft.

Prayer by Chaplain Brubaker:

Lord God,
Thank You for this day and this opportunity
to once again be entrusted to that which You provide.
As we recognize the beginning of Spring
with new life emerging,
may we be as confident and sure of Your care and purpose
as the flowers and trees that You created.
As the heat of pressure increases,
and the schedules of long days become withering,
refresh each one with Your spirit.
As storms of debate and disagreements increase,
help each one to lean into Your promises.
When the drought of uncertainty and insignificance
depletes us of hope, revive our faithfulness in You
and the purpose for which we are here.
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Hoye.

REFERENCE OF BILLS AND RESOLUTIONS

The following bill and resolution were referred to committees as indicated:

Federal and State Affairs: **HB 2453**.

Committee of the Whole: **HR 6015**.

CONSENT CALENDAR

No objection was made to **SB 16** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2316, AN ACT concerning financial institutions; relating to payments made with credit and debit cards; eliminating the prohibition of a surcharge for use of such cards; amending K.S.A. 72-1176 and 75-30,100 and K.S.A. 2020 Supp. 12-16,125 and 19-122 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 16a-2-403, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 34; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bishop, Borjon, Burris, Burroughs, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Gartner, Haswood, Hawkins, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Murphy, Neelly, Neighbor, Newland, Orr, Owens, F. Patton, Penn, Poetter, Poskin, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Wolfe Moore.

Nays: Alcalá, Amyx, Bergquist, Blex, Byers, Clayton, Coleman, Curtis, Featherston, Finney, Garber, Helgerson, Helmer, Henderson, Hoyer, Kelly, Kuether, Miller, Moser, Ohaebosim, Ousley, Parker, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Toplikar, Vaughn, Victors, Weigel, Winn, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

HB 2363, AN ACT concerning the board of indigents' defense services; relating to appointed counsel; increasing the maximum rate paid to appointed counsel; amending K.S.A. 22-4507 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 8; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, 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: Garber, Humphries, Jacobs, Lee-Hahn, Mason, Murphy, Rhiley, Seiwert.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

HB 2380, AN ACT concerning the healthcare stabilization fund; relating to minimum professional liability insurance coverage requirements; changing membership of the board of governors; service of notice thereon; amending K.S.A. 40-3409 and K.S.A. 2020 Supp. 40-3402, 40-3403, 40-3408, 40-3414 and 40-3424 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 20; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Estes, Featherston, Finch, Finney, Francis, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Bergkamp, Bergquist, Burris, B. Carpenter, Corbet, Delperdang, Esau, Fairchild, French, Garber, Helmer, Houser, Howe, Jacobs, Lee-Hahn, Moser, Poetter, Rhiley, Sutton, Thomas.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

HB 2408, AN ACT concerning the disposition of certain state real property; authorizing the state historical society to convey certain real property located in Doniphan county; imposing certain conditions; prescribing costs of conveyance, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, 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, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, 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: Howard.

The bill passed, as amended.

HB 2412, AN ACT concerning the attorney general; enacting the Kansas fights addiction act; providing for the expenditure of moneys recovered in opioid litigation; establishing a grant program to address the effects of substance abuse and addiction; Kansas fights addiction grant review board; Kansas fights addiction fund and municipalities fight addiction fund, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 43; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Alcalá, Amyx, Awerkamp, Bishop, Burris, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Garber, Gartner, Haswood, Henderson, Highberger, Houser, Hoyer, Jacobs, Kuether, Lee-Hahn, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poetter, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

EXPLANATION OF VOTE

MR SPEAKER: I vote “No” on **HB 2412**. I stand in amazement that government passes laws to expand drugs, alcohol and other addictive properties then government is shocked that societal problems have risen. Then in the government’s “wisdom” it sues or taxes those activities and then offers another government program to deal with the problem it created.

“The moral principles and precepts contained in the Scripture ought to form the basis of all our civil constitutions and laws.” Noah Webster. – TREVOR JACOBS, TATUM LEE-HAHAN

HB 2417, AN ACT concerning alcoholic beverages; relating to retailers, clubs and drinking establishments; allowing the removal of beer and cereal malt beverage from licensed premises; amending K.S.A. 2020 Supp. 41-308 and 41-2653, as amended by section 1 of 2021 Senate Bill No. 14, and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 18; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Eplee, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Miller, Moser, Neelly, Neighbor, Newland, Ohaebosim, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Baker, Burris, Carmichael, Ellis, Esau, Helgerson, Helmer, Huebert, Jacobs, Mason, Minnix, Murphy, Orr, Rahjes, Rhiley, Seiwert, Weigel, Wheeler.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

SB 50, AN ACT concerning taxation; relating to sales and compensating use tax; requiring the collection and remittance for sales, compensating use and transient guest taxes and prepaid wireless 911 fees made on marketplace facilitator platforms; removing click-through nexus provisions; relating to income tax; providing for addition and subtraction modifications for the treatment of global intangible low-taxed income, business interest, capital contributions, FDIC premiums and business meals; expanding the expense deduction for income taxpayers and calculating the deduction amount; providing the ability to elect to itemize for individuals; exemption of unemployment compensation income attributable as a result of identity fraud; removing the line for reporting compensating use tax from individual tax returns; extending the dates when corporate tax returns are required to be filed; increasing the Kansas standard deduction; providing for an extension of the corporate net operating loss carryforward period; amending K.S.A. 79-3221, 79-3221o, 79-32,117, 79-32,119, 79-32,120, 79-32,138, 79-32,143, 79-32,143a and 79-3702 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 43; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Helmer, Henderson, Highberger, Houser, Hoye, Jacobs, Kuether, Miller, Neighbor,

Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Samsel, Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER, I vote no on **Senate Bill 50**. Year after year, the majority party campaigns on the promise of lower taxes. But given the opportunity, they consistently chose the state's largest corporations over the well-being of average Kansans. The House majority rejected easing the tax burden on the unemployed. They rejected food sales tax relief for our poorest families. They refused meaningful aid for every tax filer in Kansas by rejecting a larger increase in the state's standard deduction – all so they could further line the pockets of the wealthiest multi-national corporations in our state that have evaded paying their fair share by hiding money overseas. – TOM SAWYER, STEPHANIE BYERS, LINDSAY VAUGHN, CINDY NEIGHBOR, CHRISTINA HASWOOD, RUI XU, JENNIFER DAY, ELIZABETH BISHOP, JASON PROBST, LINDA FEATHERSTON

MR. SPEAKER: I strongly oppose the provision in **SB 50** that imposes a sales tax on internet sales. Jeff Bezos and Amazon aren't paying this tax; our neighbors are. In the smallest communities in our state, many Kansans depend on internet retailers to get the items they need to live their lives.

But the other provisions in this bill are vitally needed for Kansas to recover from Governor Kelly's disastrous Coronavirus economic shutdown. They put money back in the pockets of small business owners so they can restore their businesses, hire back our neighbors, and bring jobs and opportunity back to Kansas. For that reason, only, I still vote "yes" on **SB 50**. – PAT PROCTOR, CHARLES E. SMITH, TATUM LEE-HAHN

MR. SPEAKER: I vote no on **Senate Bill 50**. The majority party had an opportunity today to provide meaningful tax relief to Kansans. Unfortunately, they chose the state's largest multi-national corporations over our state's taxpayers. In a year that has seen Kansas families face unimaginable difficulties, the majority party rejected every attempt to ease Kansans' burden. Instead they dutifully worked to provide tax relief to companies that have realized record profits while Kansas families struggled to pay their bills. **SB 50** is a familiar road we've been down before – it gives the meat of the tax cuts to the wealthiest, while offering only crumbs of token relief to working families. – TOM BURROUGHS

MR. SPEAKER: I vote "No" on **SB 50**. I am not opposed of helping and supporting all legal, moral businesses. However, I will not vote "Yes" on raising taxes on one group of businesses. I agreed to lower taxes to achieve a "fair playing field" for all taxpayers. In the Republican State Party Platform, it declares "*our economy will grow when government is smaller and efficient.*" Maybe instead of expanding government, government should become less burdensome and more efficient and save taxpayers their own hard-earned money! – TREVOR JACOBS, MICHAEL HOUSER

MR. SPEAKER: I proudly vote Yes on **SB 50**. It is a common sense tax-reform package that rectifies most of the negative effects on Kansas businesses and families from the 2018 Federal tax act. The state of Kansas had admitted in committee testimony that

they were raking in up to \$150 million tax dollars annually via their stealth 2018 tax hike. This bill eliminates that burden on our taxpayers. It makes Kansas a better place for international business and keeps us economically competitive with other states in the Midwest. Good tax policy matters, and **SB 50** is GOOD tax policy. – PAUL WAGGONER

SB 60, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal sodomy, aggravated criminal sodomy and aggravated sexual battery; creating criminal liability for such offenses when consent was obtained through a knowing misrepresentation; jurisdictional application; defining proximate result for purposes of determining when a crime is committed partly within this state; amending K.S.A. 2020 Supp. 21-5106, 21-5504 and 21-5505 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 11; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Bishop, Burroughs, Byers, Carlin, Carmichael, Finney, Highberger, Ohaebosim, Ousley, Stogsdill, Winn.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

H Sub SB 78, AN ACT concerning insurance; relating to the regulation of the business thereof; reinsurance of risk; updating the national association of insurance commissioners credit for reinsurance model law; insurance company holding act; codifying the national association of insurance commissioners credit for reinsurance model regulation; updating certain definitions relating to service contracts and surplus lines insurance; interest rates calculations relating to nonforfeiture law for individual deferred annuities; application requirements for certification of utilization review organizations; requirements for out-of-state risk retention groups to do business in state; applications for registration of professional employer organizations; abolishing the automobile club services act; amending K.S.A. 40-22a04, 40-22a06 and 40-4103 and K.S.A. 2020 Supp. 40-201a, 40-221a, 40-246i, 40-4,104, 40-22a05, 40-3302, 40-3304, 40-3306 and 44-1704 and repealing the existing sections; also repealing K.S.A. 40-2405, 40-2501, 40-2502, 40-2503, 40-2504, 40-2505, 40-2506, 40-2507, 40-2508, 40-2509, 40-2510, 40-2511, 40-2512 and 40-2513, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, 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, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, 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: Howard.

The substitute bill passed.

SB 106, AN ACT enacting the revised uniform law on notarial acts; repealing the uniform law on notarial acts; amending K.S.A. 16-1611, 58-2209 and 58-2211 and K.S.A. 2020 Supp. 25-3602, 25-3902, 25-3902a, 25-3904, 25-3904a, 49-512, 58-652 and 58-4403 and repealing the existing sections; also repealing K.S.A. 53-101, 53-102, 53-103, 53-104, 53-105, 53-105a, 53-106, 53-107, 53-109, 53-113, 53-114, 53-115, 53-116, 53-117, 53-119, 53-120, 53-501, 53-502, 53-503, 53-504, 53-505, 53-506, 53-507, 53-508, 53-510 and 53-511 and K.S.A. 2020 Supp. 53-118, 53-121 and 53-509, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, 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: Garber, Rhiley.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

SB 122, AN ACT concerning civil procedure; relating to the rules of evidence; methods to satisfy requirement to authenticate or identify records and documents; amending K.S.A. 60-464 and 60-467 and K.S.A. 2020 Supp. 60-460 and 60-465 and repealing the existing sections, was considered on final action.

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

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, 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: Awerkamp, Fairchild, Garber, Jacobs, Lee-Hahn, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

H Sub SB 124, AN ACT concerning STAR bonds; prohibiting public officials from benefiting from STAR bond projects; relating to the financing of STAR bond projects and rural redevelopment projects; eligible areas; public notice of hearings on city or county website; posting of documents and link to department of commerce database; disclosure of names of developer; major business facility; real estate transfers; plan for tracking the number of visitors; feasibility study requirements; disclosure of state, federal and local tax incentives within STAR bond district; capital investment and annual sales requirements; STAR bond districts; contiguity; project costs; sunset date; amending K.S.A. 2020 Supp. 12-17,162, 12-17,165, 12-17,166, 12-17,169, 12-17,171 and 12-17,179 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 23; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Ballard, Barker, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Dodson, M., Donohoe, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, 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: Awerkamp, Baker, Bergkamp, Bergquist, Blex, Burris, B. Carpenter, Delperdang, Ellis, Eplee, Esau, Fairchild, Garber, Houser, Howe, Huebert, Jacobs, Landwehr, Lee-Hahn, Penn, Poetter, Rhiley, Winn.

Present but not voting: None.

Absent or not voting: Howard.

The substitute bill passed, as amended.

SB 127, AN ACT concerning drivers' licenses; relating to online renewals of commercial driver's licenses and licenses for individuals up to 65 years of age; providing for the renewal of licenses to be delivered electronically; eligibility for restricted driving privileges; renewal of expired licenses and identification cards; permitting the waiver of traffic fines and court costs in certain manifest hardship situations; amending K.S.A. 2020 Supp. 8-240, 8-247, 8-1325 and 8-2110 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 8-2110b, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, 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: Helmer.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

SB 172, AN ACT concerning crimes, punishment and criminal procedure; creating the crimes of trespassing on a critical infrastructure facility and criminal damage to a critical infrastructure facility; eliminating the crime of tampering with a pipeline; requiring payment of restitution; amending K.S.A. 2020 Supp. 21-5818, 21-6328 and 21-6604 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 82; Nays 42; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Croft,

Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Corbet, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Houser, Howe, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

H Sub SB 273, AN ACT concerning tobacco products; relating to the sale thereof; remitting certain payments from tobacco product manufacturers to the credit of the Kansas endowment for youth fund rather than deposit into escrow upon certification by the attorney general; amending K.S.A. 50-6a01 and 50-6a03 and K.S.A. 2020 Supp. 50-6a04 and 50-6a09 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, 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, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, 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: Carlin.

Present but not voting: None.

Absent or not voting: Howard.

The substitute bill passed.

SB 283, AN ACT concerning the governmental response to the COVID-19 pandemic in Kansas; extending the expanded use of telemedicine in response to the COVID-19 public health emergency; extending the authority of the board of healing arts to grant certain temporary emergency licenses; imposing requirements related thereto and expiring such provisions; extending the suspension of certain requirements related to medical care facilities and expiring such provisions; modifying the COVID-19 response

and reopening for business liability protection act; extending immunity from civil liability for certain healthcare providers and for certain persons conducting business in this state for COVID-19 claims until March 31, 2022; amending K.S.A. 2020 Supp. 48-963, as amended by section 7 of 2021 Senate Bill No. 14, 48-964, 48-965, as amended by section 8 of 2021 Senate Bill No. 14, 60-5503, 60-5504, as amended by section 10 of 2021 Senate Bill No. 14, 60-5508 and 65-468 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 28; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Byers, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Gartner, Hawkins, Helgerson, Helmer, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Orr, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, S., Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Wolfe Moore, Woodard.

Nays: Alcalá, Amyx, Bishop, Burroughs, Carlin, Carmichael, Coleman, Curtis, Day, Featherston, Finney, Haswood, Henderson, Jacobs, Lee-Hahn, Miller, Ohaebosim, Ousley, Probst, Rhiley, Ruiz, L., Sawyer, Stogsdill, Toplikar, Victors, Weigel, Winn, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **HB 2007** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgerson as conferees on the part of the House.

On motion of Rep. Jennings, the House nonconcurred in Senate amendments to **HB 2026** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Jennings, Owens and Highberger as conferees on the part of the House.

On motion of Rep. Rahjes, the House nonconcurred in Senate amendments to **S Sub HB 2102** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **HB 2137** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Barker, Arnberger and L. Ruiz as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurrred in Senate amendments to **Sub HB 2166** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgerson as conferees on the part of the House.

On motion of Rep. S. Johnson, the House nonconcurrred in Senate amendments to **HB 2243** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. S. Johnson, Croft and Neighbor as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurrred in Senate amendments to **S Sub HB 2252** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Barker, Arnberger and L. Ruiz as conferees on the part of the House.

On motion of Rep. Landwehr, the House nonconcurrred in Senate amendments to **HB 2254** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Landwehr, Eplee and Parker as conferees on the part of the House.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HR 6015** be adopted.

Committee report recommending a substitute bill to **HB 2119** be adopted.

Also, on motion of Rep. Estes, **Substitute for HB 2119**, be amended on page 2, in line 26, by striking "a bonus" and inserting "additional compensation"; in line 27, after "2020-2021" by inserting "for duties beyond the normal scope related to teaching during a pandemic, including, but not limited to, creation of new lesson plans for remote and distance instruction modes, classroom modifications for social distancing, maintaining sanitary conditions and home visits"

Also, on motion of Rep. A. Smith, **Substitute for HB 2119**, be amended on page 14, in line 10, by striking "(1)"; in line 11, by striking all before "that"; in line 12, by striking "(A)" and inserting "(1)"; in line 14 by striking "(B)" and inserting "(2)"; by striking all in lines 16 through 18;

On page 20, in line 25 by striking all after the first "school"; by striking all in line 26; in line 27 by striking all before the second "and"

Also, on motion of Rep. Huebert, **Substitute for HB 2119**, be amended on page 1, following line 17, by inserting:

"WHEREAS, The Kansas Legislature and the Kansas Supreme Court agree that, for Kansans, children are our state's most valuable resource; and

WHEREAS, The Kansas Supreme Court in *Gannon IV* found that nearly 25% of all public education students are not performing at grade level and that significant achievement gaps exist between all students and certain subgroups of students; and

WHEREAS, The Kansas Supreme Court acknowledged that certain student

subgroups can have their own special achievement challenges; and

WHEREAS, Throughout the *Gannon* litigation, the Legislature has committed to improving the academic achievement of all students with a particular focus on the students identified by the Court; and

WHEREAS, The Kansas Supreme Court has ruled that the the current school finance system provides constitutionally adequate funding and equitable allocation of resources and that the Legislature has substantially complied with the Court's orders expressed in *Gannon VI*; and

WHEREAS, Special challenges require special measures and the Legislature remains committed to providing a finance system that is flexible and offers tailored solutions to raise academic achievement, particularly for those students who face special challenges; and

WHEREAS, Education savings accounts that target those students who qualify for at-risk educational services provide an additional way for families to tailor the entire educational experience of the student, as opposed to simply tailoring the schooling of such student; and

WHEREAS, Providing families with the access and means necessary to customize the educational experience of a student will provide families with options to increase the student's academic achievement.

Now, therefore:";

On page 13, in line 33, by striking all after "(1)"; by striking all in line 34; in line 35 by striking "(2)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

Also, on motion of Rep. Hoffman, **Substitute for HB 2119**, be amended on page 7, by striking all in lines 40 through 43;

On page 8, by striking all in lines 1 through 9;

On page 10, in line 25, by striking all after "(m)"; by striking all in lines 26 through 43;

On page 11, by striking all in lines 1 through 34; in line 35, by striking all before the period and inserting "Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose to provide school safety and security grants: *Provided*, That such expenditures shall not exceed \$5,000,000: *Provided further*, That expenditures shall be made for fiscal year 2022 for disbursements of grant moneys approved by the state board of education for the acquisition and installation of security cameras and any other systems, equipment and services necessary for security monitoring of facilities operated by a school district and for securing doors, windows

and any entrances to such facilities: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2022 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the district that may be used for such purpose as permitted under federal law: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(n) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose for the mental health intervention team pilot program: *Provided*, That such expenditures shall not exceed \$3,924,160: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(o) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose for the communities in schools program: *Provided*, That such expenditures shall not exceed \$100,000: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research"

Also, on motion of Rep. Francis, **Substitute for HB 2119** be amended on page 26, in line 43, after "(1)" by inserting "except when such limitations are waived by the state board pursuant to this section";

On page 27, in line 1, by striking all after "(3)"; in line 2, by striking all before the period and inserting "The state board of education may waive the requirements of law relating to the remote learning limitations in any school year upon application for such waiver by a school district. The waiver may be granted by the state board of education upon: (A) Certification by a board of education that, due to disaster, conditions resulting

from widespread or severe property damage caused by the disaster or other conditions restricting the operation of public schools will exist in the school district for an inordinate period of time; and (B) a determination by the state board that the school district cannot reasonably adjust its schedule to comply with such requirements of law and that remote learning beyond the limitations provided in this section would allow the school district to continue to provide education to students during such conditions" and the substitute bill be passed as amended.

On motion of Rep. Hawkins, the House recessed until 2:30 p.m.

AFTEROON SESSION

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

MESSAGES FROM THE GOVERNOR

March 11, 2021

Message to the Kansas House of Representatives:

Enclosed herewith is Executive Directive No. 21-531 for your information.

EXECUTIVE DIRECTIVE NO. 21-531
Concerning Authorizing Expenditure of Federal Funds

Laura Kelly
Governor

March 19, 2021

Message to the Kansas House of Representatives:

Enclosed herewith is Executive Directive No. 21-532 for your information.

EXECUTIVE DIRECTIVE NO. 21-532
Concerning Authorizing Personnel Transactions

Laura Kelly
Governor

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Thompson, the House concurred in Senate amendments to **HB 2178**, AN ACT concerning cities; relating to the vacation of territory, easements or certain blocks; providing procedures to challenge certain decisions of a city; amending K.S.A. 12-504 and 12-505 and repealing the existing sections.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes,

Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, 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: Carmichael, Helmer.

Present but not voting: None.

Absent or not voting: Howard, Jacobs.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2448** be passed.

Committee report recommending a substitute bill to **HB 2397** be adopted.

Also, on motion of Rep. Waymaster, **Substitute for HB 2397**, be amended on page 145, in line 34 by adding \$350,000 to the dollar amount and by adjusting the dollar amount in line 34 accordingly

Also, roll call was demanded on motion of Rep. Parker to amend **Substitute for HB 2397** on page 115, following line 36, by inserting:

"(n) Notwithstanding the provisions of K.S.A. 39-709(e)(2), and amendments thereto, or any other provision of law to the contrary, during the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made to expand eligibility for receipt of benefits under title XIX of the social security act, commonly known as medicaid, as provided for in the patient protection and affordable care act, public law 111-148, and the health care and education reconciliation act of 2010, public law 111-152, to any adult under 65 years of age who is not pregnant and whose modified adjusted gross income does not exceed 138% of the federal poverty level." .

Rep. Waymaster challenged the amendment under the Pay-Go provision of House Rule 2110. The amendment was ruled to be in order.

On roll call, the vote was: Yeas 46; Nays 78; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Clayton, Coleman, Concannon, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller,

Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Samsel, Sawyer, Schreiber, Stogsdill, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

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

Present but not voting: None.

Absent or not voting: Howard.

The motion of Rep. Parker to amend did not prevail.

Also, on motion of Rep. B. Carpenter, **Substitute for HB 2397** be amended on page 33, following line 9 by inserting:

"(c) Notwithstanding the provisions of K.S.A. 2020 Supp. 75-7c05, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the attorney general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to fix, charge and collect a nonrefundable fee for the purpose of obtaining a concealed carry handgun license of \$112, if the applicant has not previously been issued a statewide license or if the applicant's license has permanently expired, which fee shall be in the form of two cashier's checks, personal checks or money orders of \$32.50 payable to the sheriff of the county where the applicant resides and \$79.50 payable to the attorney general."

And by redesignating subsections accordingly

Also, on motion of Rep. Samsel to amend **Substitute for HB 2397**, the motion did not prevail.

Also, on motion of Rep. Helgeson, **Substitute for HB 2397** be amended on page 264, following line 3, by inserting:

"Sec. 139. (a) On July 1, 2021, of each amount appropriated for a state agency for the fiscal year ending June 30, 2022, by chapter 5 of the 2020 Session Laws of Kansas, 2021 Substitute for House Bill No. 2119, this act or other appropriation act of the 2021 regular session of the legislature from the state general fund, the sum equal to 2% of such appropriation that is not exempt is hereby lapsed. Any item of appropriation for debt service for payments pursuant to contractual bond obligations is exempt from and shall not be reduced by such lapsing provision.

(b) On July 1, 2021, of each amount reappropriated for a state agency for the fiscal year ending June 30, 2022, by chapter 5 of the 2020 Session Laws of Kansas, 2021 Substitute for House Bill No. 2119, this act or other appropriation act of the 2021 regular session of the legislature from the state general fund, the sum equal to 2% of such reappropriation that is not exempt is hereby lapsed. Any item of reappropriation for debt service for payments pursuant to contractual bond obligations is exempt from

and shall not be reduced by such lapsing provision."; and by renumbering sections accordingly

Also, on motion of Rep. Helgeson to re-refer **Substitute for HB 2397** to Committee on Appropriations, the motion did not prevail; and the substitute bill be passed as amended.

Committee report recommending a substitute bill to **SB 84** be adopted.

Also, on motion of Rep. Resman, **House Substitute for Substitute for SB 84** be amended, on page 23, in line 31, by striking "or greyhound"; in line 33, by striking "or"; in line 34, after "(B)" by inserting "any greyhound race; or (C)"

Also, roll call was demanded on motion of Rep. Landwehr to amend **House Substitute for Substitute for SB 84**, on page 12, following line 36, by inserting:

"New Sec. 17. (a) There is hereby established in the state treasury the certified community behavioral health clinics fund, and such fund shall be administered by the secretary for aging and disability services. Moneys in the fund shall be used for funding certified community behavioral health clinics.

(b) All expenditures from the fund 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 for aging and disability services or the secretary's designee.

(c) The certified community behavioral health clinics fund shall be used for the purposes set forth in this section and for no other governmental purposes. It is the intent of the legislature that the fund shall remain intact and inviolate for the purposes set forth in this section, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

New Sec. 18. (a) There is hereby established in the state treasury the Kansas court appointed special advocates fund. The judicial administrator of the office of judicial administration shall administer such fund. All moneys credited to the Kansas court appointed special advocates fund shall only be expended for the purpose of appointing special advocates in Kansas to represent children in Kansas.

(b) All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the judicial administrator, or the administrator's designee, for the purposes set forth in this section.";

On page 27, in line 36, after "general" by inserting ", the certified community behavioral health clinics fund and the Kansas court appointed special advocates fund";

On page 28, in line 25, by striking all after "(f)"; by striking all in lines 26 through 29; in line 30, by striking all before the period and inserting "Commencing in fiscal year 2023, on or before the 10th day of each month, the executive director shall certify to the director of accounts and reports all sports wagering revenues deposited in the lottery operating fund. On July 1, 2022, and each July 1 thereafter, or as soon thereafter as moneys are available, the first \$750,000 certified by the executive director as sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the white collar crime fund established in section 13, and amendments thereto. Of the remaining certified

amount, the director of accounts and reports shall transfer:

(1) 50% of such remaining certified amount from the lottery operating fund to the certified community behavioral health clinics fund established in section 17, and amendments thereto; and

(2) 30% of such remaining certified amount from the lottery operating fund to the Kansas court appointed special advocates fund established in section 18, and amendments thereto";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking "and" and inserting a comma; in line 6, after "fund" by inserting ", the certified community behavioral health clinics fund and the Kansas court appointed special advocates fund"

On roll call, the vote was: Yeas 56; Nays 66; Present but not voting: 0; Absent or not voting: 3.

Yeas: Amyx, Arnberger, Ballard, Barker, Bergquist, Bishop, Burris, Byers, Carlin, Carmichael, B. Carpenter, W. Carpenter, Collins, Curtis, Delperdang, Donohoe, Eplee, Esau, Estes, Finch, Finney, Francis, French, Haswood, Hawkins, Helmer, Highberger, Hoheisel, Huebert, Humphries, T. Johnson, Kelly, Kessler, Landwehr, Lynn, Mason, Minnix, Newland, Ousley, Owens, F. Patton, Penn, Proehl, Rahjes, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Smith, C., Smith, E., Stogsdill, Thomas, Victors, Wasinger, K. Williams.

Nays: Alcalá, Anderson, Awerkamp, Baker, Bergkamp, Blex, Borjon, Burroughs, Carlson, Clark, Clayton, Coleman, Concannon, Corbet, Day, Dodson, M., Ellis, Fairchild, Featherston, Garber, Gartner, Helgerson, Henderson, Highland, Hoffman, Houser, Howe, Hoye, Jacobs, Jennings, S. Johnson, Kuether, Lee-Hahn, Long, Miller, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Orr, Parker, Poetter, Poskin, Probst, Proctor, Ralph, Resman, Rhiley, Sawyer, Schreiber, Seiwert, Smith, A., Sutton, Tarwater, Thompson, Turner, Vaughn, Waggoner, Waymaster, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Croft, Howard, Toplikar.

The motion of Rep. Landwehr to amend did not prevail.

Also, roll call was demanded on motion of Rep. Awerkamp to amend **House Substitute for Substitute for SB 84**, on page 1, in line 14, by striking all after "act"; in line 15, by striking all before the period; in line 16, by striking the colon; by striking all in lines 17 through 30; in line 31, by striking "(3)"; in line 35, by striking "4" and inserting "3"; by striking all in line 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 32; in line 33, by striking "(a)"; in line 36, by striking all after the period; by striking all in lines 37 through 40; in line 41, by striking all before the second "Sports";

On page 4, in line 1, by striking "expanded"; by striking all in lines 2 through 21; in line 23, by striking all after the first "lottery"; in line 24, by striking all before "for"; in line 27, by striking all after the first "lottery"; in line 28, by striking all before the period; in line 34, by striking all before "at" and inserting "lottery"; in line 43, by striking all before "at" and inserting "lottery";

On page 5, in line 6, by striking all after the first "lottery"; by striking all in line 7; in line 8, by striking all before the period; by striking all in lines 9 through 17; in line 26,

by striking all after "(b)"; by striking all in line 27; in line 28, by striking "(c)"; in line 30, by striking "(d)" and inserting "(c)"; in line 36, by striking all after "faith"; in line 37, by striking all before "and"; in line 43, by striking all after the period;

On page 6, by striking all in line 1; in line 2, by striking all before "In"; by striking all in lines 7 through 43;

By striking all on page 7;

On page 8, by striking all in lines 1 through 32; by striking all in line 43;

By striking all on pages 9 through 11;

On page 12, by striking all in lines 1 through 36;

On page 17, by striking all in lines 14 through 23;

On page 18, in line 30, by striking all after the first "lottery"; in line 31, by striking all before the period;

On page 19, in line 30, by striking all after the first period;

On page 20, in line 13, by striking all after the period; by striking all in line 14;

On page 21, in line 2, by striking the third "a"; in line 3, by striking all before the first "a"; in line 31, by striking "sports wagering ticket,"; in line 35, by striking all after "retailer"; in line 36, by striking "retailer,";

On page 22, in line 7, by striking all after the first "lottery"; in line 8, by striking all before "for"; in line 9, by striking "4" and inserting "3"; by striking all in lines 17 through 21; in line 22, by striking "(aa)" and inserting "(z)";

On page 23, in line 40, by striking all after the first "lottery"; in line 41, by striking all before the period;

On page 24, by striking all in lines 4 through 14; by striking all in lines 18 through 22;

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

On page 25, in line 14, by striking all after the period; by striking all in lines 15 through 31;

On page 26, in line 28, by striking "12" and inserting "6"; in line 30, by striking all after "lottery"; in line 31, by striking all before the semicolon; also in line 31, by striking all after "(B)"; by striking all in line 32; in line 33, by striking all before "provisions"; in line 34, by striking "and"; in line 35, by striking all before the semicolon; also in line 35, by striking "(D)" and inserting "(C)";

On page 27, by striking all in lines 3 through 43;

On page 28, by striking all in lines 1 through 30;

On page 30, in line 21, after "ticket" by inserting ", except a sports wagering ticket,"; in line 23, by striking all after "(b)"; by striking all in lines 24 through 40; in line 41, by striking "(c)";

On page 31, by striking all in lines 2 through 43;

By striking all on pages 32 through 50;

On page 51, by striking all in lines 1 through 6; in line 12, by striking "46-2301,"; also in line 12, by striking ", 74-8711"; in line 13, by striking all after "74-8718"; in line 14, by striking all before the first "and";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "expanded"; in line 2, by striking "and Kansas racing and gaming commission"; in line 3, by striking all after "wagering"; by striking all in lines 4 and 5; in line 6, by striking all before the semicolon; also in line 6,

by striking "46-2301, "; also in line 6, by striking ", 74-8711"; in line 7, by striking all after "74-8718"; in line 8, by striking all before "and"

On roll call, the vote was: Yeas 48; Nays 71; Present but not voting: 0; Absent or not voting: 6.

Yeas: Averkamp, Bergkamp, Bergquist, Blex, Burris, Carlson, B. Carpenter, Collins, Delperdang, Dodson, M., Ellis, Esau, Estes, Fairchild, French, Garber, Helgerson, Highland, Hoffman, Howe, Huebert, Humphries, Jacobs, T. Johnson, Lee-Hahn, Miller, Moser, Murphy, Neely, Newland, Orr, Owens, Poetter, Proctor, Rhiley, Samsel, Sanders, Seiwert, Smith, C., Smith, E., Sutton, Tarwater, Toplikar, Turner, Waggoner, Wasinger, Weigel, K. Williams.

Nays: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bishop, Borjon, Burroughs, Byers, Carlin, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Concannon, Corbet, Curtis, Day, Donohoe, Eplee, Featherston, Finch, Finney, Francis, Haswood, Hawkins, Helmer, Henderson, Highberger, Hoheisel, Houser, Hoyer, Jennings, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Minnix, Neighbor, Ohaebosim, Ousley, Parker, F. Patton, Penn, Poskin, Probst, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sawyer, Schreiber, Stogsdill, Thomas, Thompson, Vaughn, Victors, Waymaster, Wheeler, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Croft, Gartner, Howard, Mason, Smith, A., Winn.

The motion of Rep. Averkamp to amend did not prevail.

Also, on motion of Rep. Woodard to amend **House Substitute for Substitute for SB 84**, Rep. Arnberger requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

The motion of Rep. Woodard to amend did not prevail.

The motion to recommend **House Substitute for Substitute for SB 84** favorably for passage did not prevail.

Committee report to **SB 159** be adopted.

Also, on motion of Rep. Helgerson to amend **SB 159**, there was objection to Rep. Helgerson's request to withdraw his amendment.

The motion of Rep. Helgerson to amend **SB 159** did not prevail; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **Sub HB 2119**, **Sub HB 2397**, **HB 2448**, **SB 159** and **HR 6015** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HR 6015, A RESOLUTION urging the legislative coordinating council to revoke any executive order issued by the governor mandating face coverings if such an executive order is issued while the legislature is adjourned, was considered on final action.

On roll call, the vote was: Yeas 84; Nays 39; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Averkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet,

Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Croft, Howard.

The resolution was adopted.

Sub HB 2119, AN ACT concerning education; relating to the instruction and financing thereof; making and concerning appropriations for the department of education for fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023; creating the student empowerment act to provide education savings accounts to certain students; requiring the school term to be conducted through in-person education and allowing for limited remote learning; requiring boards of education to allocate sufficient school district moneys to improve academic performance of underachieving students; providing an alternative state aid calculation for school district remote enrollment; authorizing continuation of the 20 mill statewide property tax levy for schools and the exemption of a portion of residential property from such levy; expanding student eligibility under the tax credit for low income students scholarship program; amending K.S.A. 72-1163, 72-3115, 72-5134, 72-5151, 79-201x and 79-32,117 and K.S.A. 2020 Supp. 72-3117, 72-4352, 72-4354, 72-5131, 72-5132, 72-5142 and 72-5178 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 65; Nays 58; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Amberger, Averkamp, Barker, Bergkamp, Bergquist, Blex, Burris, B. Carpenter, W. Carpenter, Collins, Corbet, Delperdang, Dodson, M., Donohoe, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Houser, Howe, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kessler, Landwehr, Lee-Hahn, Lynn, Mason, Moser, Murphy, Neelly, Newland, Owens, Penn, Poetter, Proctor, Rahjes, Resman, Rhiley, Ryckman, Samsel, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Clayton, Coleman, Concannon, Curtis, Day, Ellis, Eplee, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoheisel, Hoye, Jennings, Kelly, Kuether, Long, Miller, Minnix, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Poskin, Probst, Proehl, Ralph, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Thompson, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore,

Woodard, Xu.

Present but not voting: None.

Absent or not voting: Croft, Howard.

The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: What is our mission? Is it to educate all kids, including those most at-risk? Or, to maintain and protect an educational system even when the system cannot deliver or protect failing students who make up over 29% of our enrollment? For me, our mission must be protecting, inspiring, and engaging all learners. Our mission must be student-focused, not system-focused. Fully funding our public schools is not mutually exclusive with providing at-risk kids a chance to break free from a cycle of failure. Let's give all Kansas kids a fighting chance. I vote yes on **Sub. HB 2119**. – KRISTEY WILLIAMS

MR. SPEAKER: I vote yes on **Sub HB 2119**. Please make note of this: We DO have education choice for students who are not served by their school...oh but wait, that choice is only for families who can pick up and move to attend a school that meets their needs better. It is unconscionable to me that anyone would deny that opportunity and freedom to other students and families so their children can be better served. This bill fully funds schools, and more importantly, it offers HOPE for the most vulnerable and those who need it most. – SUSAN HUMPHRIES, LEO DELPERDANG, CHARLES E. SMITH

MR. SPEAKER: I vote no on **Substitute for House Bill 2119**. This bill combines the K-12 Education Budget with policy that shifts our public tax dollars to private schools with no strings attached. This disastrous bill puts our commitment to adequately fund our public schools at risk and uses one-time funds for long-term programs without a sustainable funding plan. Mixing essential appropriations with controversial bills is bad for Kansas kids. – TOM SAWYER, JASON PROBST, LOUIS RUIZ, PONKA-WE VICTORS, PAM CURTIS, BRANDON WOODARD, STEPHANIE CLAYTON, VALDENIA C. WINN, RUI XU, JO ELLA HOYE, CINDY NEIGHBOR, MIKE AMYX, SUSAN RUIZ, SYDNEY CARLIN, GAIL FINNEY, JOHN ALCALA, BRODERICK HENDERSON, JOHN CARMICHAEL, ELIZABETH BISHOP, JENNIFER DAY, VIRGIL WEIGEL, LINDSAY VAUGHN, BRETT PARKER, LINDA FEATHERSTON, MARI-LYNN POSKIN, STEPHANIE BYERS

MR. SPEAKER: Republicans are funding our public schools with around \$5.8 Billion – the full Governor's recommendation, plus critical item funding the Governor denied! If you care about:

- ensuring “the funding follows the child”
- giving hope, educational opportunities, and options to our At-Risk students to break the systemic cycle of failure ...and
- public school system accountability then **THIS BILL'S FOR YOU. VOTE YES!**

Don't fear the special interests, who eagerly trade our kids and teachers for their bottom line and control. Their vote in 2022 will be the same as 2020—not for you. Let's keep our word and fight for our kids! I vote yes on **Sub HB 2119** – PATRICK PENN

MR. SPEAKER: **Sub HB 2119** fully funds the Governor's budget for FY2021, 2022 and the consensus estimate for 2023. If an at-risk student chooses other educational opportunities, the base-state-aid funds the student while the current school's funding is held harmless. It allows at-risk students to remain at their current school while funding a class, community college, books, tutoring, whatever they need to succeed. At-risk funding is but a small part of the budget. If I had my perfect bill it would have changes but as with most big issues, this is a result of compromises to reach a consensus. It is good legislation. For these reasons, I vote yes on **Sub HB 2119**. – CHARLOTTE ESAU

MR. SPEAKER: Education is the most important gift we can give the children of the state next to our love. Yet, there is no perfect formula for providing that gift of knowledge. The current bill for providing that gift of knowledge may not be the perfect combination, but it clearly has all of the ingredients needed to produce a healthy stone soup meal of knowledge. Mr. Speaker, I vote yes on **Substitute House Bill 2119**. – TIM JOHNSON

MR. SPEAKER: I strongly support **Sub HB 2119** on education funding and reform. Competition is a good thing, for business, for cities, and even for schools. The tax-funded scholarships and Education savings accounts of **Sub HB 2119** have been tried successfully in multiple other states. It leverages choice in a way that benefits both our public and private schools in Kansas. It does this within the framework of the Gannon decision, so there is no way public schools can contend they are financially harmed. The focus in K-12 education should always be on the child and not the system. **Sub HB 2119** is a positive step in that direction. – PAUL WAGGONER

HB 2448, AN ACT concerning foster care; relating to licenses for family foster homes; creating an exemption to allow the secretary for the department of children and families to license a family foster home where a former foster care youth with juvenile adjudications resides; amending K.S.A. 65-516 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 4; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Curtis, Day, 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, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Long, Penn, Rhiley, Sutton.

Present but not voting: None.
 Absent or not voting: Croft, Howard.
 The bill passed.

Sub HB 2397, AN ACT making and concerning appropriations for fiscal years ending June 30, 2021, June 30, 2022, June 30, 2023, and June 30, 2024, 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. 75-4209, 75-6702 and 75-6706 and K.S.A. 2020 Supp. 2-223, 12-1775a, 12-5256, 55-193, 65-180, 72-5462, 74-50,107, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 71; Nays 52; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Howe, Huebert, Humphries, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Turner, Waggoner, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burris, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Fairchild, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoheisel, Houser, Hoyer, Jacobs, Jennings, Kuether, Lee-Hahn, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poetter, Poskin, Probst, Ruiz, L., Ruiz, S., Samsel, Sawyer, Stogsdill, Thompson, Toplikar, Vaughn, Victors, Wasinger, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.
 Absent or not voting: Croft, Howard.
 The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **SUB HB 2397**. When I was elected, I said to my district that to the best of my ability I would be a good steward of their money like it was my own. The budgeting process is broken. The spending is out of control. In a year when our state has been shut down, businesses forced to close, we cannot in good moral conscience vote to increase government. Commas and dollar signs matter. They matter to our family budgets and they should matter in government also. In a Republican controlled House and Senate, now is our time to pull back. – TATUM LEE-HAHN, MARK SAMSEL, BRETT FAIRCHILD

MR. SPEAKER: I vote No on **Substitute for House Bill 2397**. Cuts were made to core functions of government, including K-12 education funding. This puts us at risk of going back to court. We must ensure we constitutionally fund education to avoid this. Medicaid expansion was also not included, so we offered an amendment that would

expand Medicaid. This would not only have provided healthcare to over 160,000 Kansans, but it also would have provided Kansas significant budget relief. Rejecting Medicaid Expansion leaves around \$460 million on the table of federal aid. Therefore, I cannot in good faith support this bill. – TOM SAWYER, STEPHANIE CLAYTON, JO ELLA HOYE, CINDY NEIGHBOR, SUSAN RUIZ, STEPHANIE BYERS, MARI-LYNN POSKIN, LINDA FEATHERSTON, BRETT PARKER, LINDSAY VAUGHN, VIRGIL WEIGEL, JENNIFER DAY, ELIZABETH BISHOP, BRODERICK HENDERSON, JOHN ALCALA, GAIL FINNEY, SYDNEY CARLIN

MR. SPEAKER: AS the State of Kansas begins to emerge from an unprecedented pandemic, the importance of rebuilding our state's economy is more imperative than ever. In order to successfully produce the workforce of tomorrow, we must make significant investment in every level of our higher education system. I cannot, in good conscience, vote for a budget that cuts funding for our institutions of higher learning. I vote NO on **Sub HB 2397**. – BRANDON WOODARD

SB 159, AN ACT concerning certain claims against the state; making appropriations; authorizing certain transfers; imposing certain restrictions and limitations; directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 17; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Borjon, Burris, Byers, Carlin, Carlson, Carmichael, B. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Owens, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Winn, Woodard, Xu.

Nays: Alcala, Amyx, Blex, Burroughs, W. Carpenter, Curtis, Gartner, Howe, Kuether, Miller, Ousley, Parker, Rahjes, Ruiz, L., Ruiz, S., Weigel, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Croft, Howard.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Rural Development** recommends **SB 98** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 98," as follows:

"House Substitute for SENATE BILL NO. 98

By Committee on Financial Institutions and Rural Development

"AN ACT concerning financial institutions; enacting the technology-enabled

fiduciary financial institutions act; relating to requirements, fiduciary powers, duties, functions and limitations for such fiduciary financial institutions; pilot program; prescribing administrative powers and duties for the state banking board and the state bank commissioner; establishing the technology-enabled fiduciary financial institutions development and expansion fund; providing an income and privilege tax credit for technology-enabled fiduciary financial institutions making certain qualified charitable distributions; creating the joint committee on fiduciary financial institutions oversight."; and the substitute bill be passed.

(**H Sub for SB 98** was thereupon introduced and read by title.)

MESSAGE FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2007** and has appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2026** and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2102** and has appointed Senators Kerschen, Straub and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2137** and has appointed Senators Alley, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2166** and has appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2243** and has appointed Senators Longbine, Fagg and Pittman as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2252** and has appointed Senators Alley, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2254** and has appointed Senators Hilderbrand, Gossage and Pettey as conferees on the part of the Senate.

Announcing passage of **SB 290**.

Announcing passage of **HB 2134**, as amended, **HB 2165**, as amended, **HB 2167**, as amended, **HB 2203**, as amended, **HB 2218**, as amended.

Announcing passage of **HB 2238**, **HB 2295**.

Announcing adoption of **HCR 5015**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 290.

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

On emergency motion of Rep. Hawkins, **HCR 5019**, as follows, was introduced and adopted:

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5019** –
by Representatives Ryckman, Hawkins and Sawyer

HCR 5019 – A CONCURRENT RESOLUTION relating to the adjournment of the senate and the house of representatives for a period of time during the 2021 regular session of the legislature.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on March 31, 2021, and shall reconvene on April 6, 2021, pursuant to adjournment of the daily session convened on March 31, 2021; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation, subsistence allowances, mileage and other expenses in amounts prescribed under K.S.A. 75-3212, and amendments thereto.

REPORT ON ENGROSSED BILLS

HB 2022, HB 2363, HB 2380, H 2408, HB 2412 reported correctly engrossed March 29, 2021.

HB 2178 reported correctly engrossed March 30, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 9:00 a.m. on Wednesday, March 31, 2021.

JENNY HAUGH, JULIA WERNER, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

