

# Journal of the House

## FORTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, March 15, 2022, 11:00 a.m.

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

The roll was called with 123 members present.

Reps. Meyer and Poetter Parshall were excused on verified illness.

Prayer by guest chaplain, Pastor Rob Self, Topeka Lakeview Church of the Nazarene.

Gracious Father, we thank you for this beautiful day that you have given us today to gather. Bless the hearts and minds of those gathered here today, may they set the tone that you have presented before us.

May your grace be with those unable to be here today. We especially lift up Eunice that your healing hand would be upon her. We also ask that your sovereign hand be with the people of Ukraine, that you would shelter and protect them.

Circle these representatives of your people of Kansas, that decisions made today would be the heart of your people.

Amen.

The Pledge of Allegiance was led by Rep. Vaughn.

### **INTRODUCTION OF GUESTS**

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

Today I am here to recognize the 2022 Kansas and 2020 National Miss Amazing Representatives.

Miss Amazing is founded on the principles of ensuring equal opportunities for girls and women living with disabilities. The Organization's mission is to equip girls and women to write their own story, build meaningful relationships with peers, empower parents and family and support professionals to be effective allies. Miss Amazing looks to dismantle stereotypes and open up pathways for personal growth while building self esteem, and promoting their boundless potential. They hold regular opportunities to teach leadership skills, including one where I got to teach the girls how Kansas laws are made. And then they have fun events like fashion shows, karaoke, and painting classes, among others.

Miss Amazing looks to challenge these young women to take pride in their identities and strengths, set ambitious goals, advocate for better policy, to speak up for others, and

pursue their greatest versions of themselves. And by their contributions, we as a society will reap those benefits as well.

Every year Miss Amazing holds their Amplify Event. I was privileged to be a judge in 2020. And today, I'd like to honor our crowned Kansas and National Miss Amazing Representatives.

Isabella Culross is our 2022 Miss Amazing Kansas Pre-Teen (age 10-12) from Gardner. The most important thing for her is accepting others for who they are and knowing she can do anything she wants to regardless of her disability.

Jennifer Jennings is our 2022 Kansas Miss Amazing Teen (16-19) from Overland Park. Jennifer hopes to attend Calvary University and would like to have her own ministry where she can help people with disabilities of all ages find their courage and inner strength to amplify their voices.

Autumn Bertels is our 2022 Kansas Miss Amazing Junior Miss (20-23) from Lawrence, and she loves informing and advocating for people with disabilities. Autumn is also currently a student at KU where she is majoring in Engineering.

Sara Pietig is our Kansas Miss Amazing Miss (24-27) from Shawnee. Sara works at Chick-fil-A and is part of an inclusive dance team and a cheer squad. Sara spends her spare time volunteering for Children's Mercy.

Shirley Cook is our current Kansas Senior Miss from Olathe (28-35). Shirley loves to educate others about sharks and their importance. She lives independently with her cat and is currently engaged and planning her wedding. And I am lucky to call her my constituent!

In addition to these State Representatives, Kansas is proud to have two National Miss Amazing Representatives.

Abby Martin is a 13-year-old resident of Chanute and is now the National Miss Amazing Preteen Queen 2020. Recently, Abby's disabilities have become more challenging, from being a competitive dancer to using her wheelchair more frequently. But through these circumstances she continues to help others regardless of her own challenges. She visits nursing homes to comfort those with dementia and collects items for the homeless. Abby advocates for others because she believes everyone deserves to be treated equally and fairly.

Kirstianna Guerrero is from Topeka (National Miss Amazing Teen 2020) is a funky and spunky 20 year old who's personality can't be summed up. She loves bringing everything she is, to everything she does, and brightens every day to those around her. She lives life boldly being herself while encouraging and engaging with everyone she meets. Kirstianna is putting together the first disability pride parade that she hopes to hold in Topeka in July of this year. She knows that she doesn't need to measure up or change herself to fit her crown, but the crown amplifies who she is, and gives her opportunities to reach others. Her biggest passion is reminding everyone that they are loved, encouraging you to love yourself, and empowering you with ways to live boldly.

And finally, Kansas Miss Amazing is led by their amazing Director, Michelle Roberts.

Rep. Lynn presented her guests with House certificates in recognition of their achievements.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2737**, AN ACT concerning reapportionment; relating to state representative districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-3,731, 4-3,733 and 4-3,859, by Committee on Federal and State Affairs.

**HB 2738**, AN ACT concerning sales taxation; relating to countywide retailers' sales tax; discontinuing an Atchison countywide retailers' sales tax; allowing counties to decide whether to apportion revenue between the county and cities located therein; amending K.S.A. 2021 Supp. 12-187 and 12-192 and repealing the existing sections, by Committee on Taxation.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

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

Committee of the Whole: **HCR 5032**.

Judiciary: **HB 2736**.

**MESSAGES FROM THE SENATE**

The Senate nonconcur in House amendments to **H Sub for Sub SB 286**, requests a conference and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

Announcing passage of **SB 403, SB 507**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 403, SB 507**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 2**.

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

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **H Sub for Sub SB 286**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 421**.

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

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Schreiber, **HR 6024**, by Reps. Schreiber, Amyx, Anderson, Baker, Bergquist, Blex, Borjon, Byers, Carlson, Carmichael, Carpenter, Clark, Clifford, Concannon, Croft, Dodson, Ellis, Eplee, Esau, Estes, Featherston, French, Gartner, Haswood, Highberger, Hoffman, Hoheisel, Howe, Hoye, Huebert, Humphries, Johnson, Kelly, Kuether, Lynn, Mason, Minnix, Neighbor, Osman, Patton, Poskin, Probst, Proehl, Ralph, Resman, Rhiley, Samsel, Sawyer, Schmidt, Smith, Smith, Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Wasinger, Wheeler, Winn and Woodard, as follows, was introduced and adopted:

**HR 6024**—A RESOLUTION congratulating and commending the 2020 and 2022 Kansas Master Teachers.

WHEREAS, Fourteen of Kansas' best teachers have been selected as Kansas Master Teachers for 2020 and 2022; and

WHEREAS, Local teacher associations, educational organizations and school faculties nominate candidates for the awards. A committee representing educational organizations from across Kansas selected the 2020 and 2022 winners; and

WHEREAS, The 2020 Kansas Master Teachers are Hillary Barscewski, a first grade teacher at Cottonwood Elementary School in Andover, USD 385; Holly Bright, a kindergarten teacher at Grandview Elementary School in El Dorado, USD 490; Justin Heeke, a seventh grade physical education teacher at Comanche Middle School in Dodge City, USD 443; Erica Huggard, a biology and health science teacher at Emporia High School in Emporia, USD 253; Eunice Izazaga, a second grade teacher at Pleasant Valley Elementary School in Wichita, USD 259; Vickie Marcozzi, an art and enrichment reading and writing teacher for grades second through fifth at Oakdale Elementary School in Salina, USD 305; and Kathy Wagoner, an English teacher at Hays High School in Hays, USD 489; and

WHEREAS, The 2022 Kansas Master Teachers are Andy Battenfield, a physical education teacher at Village Elementary in Emporia, USD 253; Melanie Hammond, a chemistry and physical science teacher at South High School in Salina, USD 305; Karen Stohlmann Henderson, a math and engineering teacher at Northwest High School in Blue Valley, USD 229; Sarah M. Hoff, a social studies teacher at Dodge City High School in Dodge City, USD 443; Gina Johnson, a fourth and fifth grade teacher at O'Loughlin Elementary School in Hays, USD 489; Bryan Scruggs, an instructional coach at Seitz Elementary School in Geary County, USD 475; and Barbara Tholen, a journalism advisor and graphic design teacher at Lawrence High School in Lawrence, USD 497; and

WHEREAS, Emporia State University established the Kansas Master Teacher Awards in 1953; and

WHEREAS, The awards are presented annually to teachers who have served the profession long and well and who also exemplify the outstanding qualities of earnest and conscientious teachers; and

WHEREAS, Since 1980, Bank of America has pledged more than \$100,000 to permanently endow the Kansas Master Teacher Awards. In 1984, the Black family of Broken Arrow, Oklahoma established an endowed chair for Kansas Master Teachers. The fund provides a stipend to bring two Master Teachers to Emporia State University for part of a semester where they present to classes of education students; and

WHEREAS, The members of the Kansas House of Representatives recognize the invaluable contributions of great teachers such as those being honored today. These 2020 and 2022 Master Teachers serve as mentors and role models and lay the groundwork for the best educators of tomorrow. They go above and beyond what is expected and offer inspiration, as well as instruction. They teach with heart and soul, and by giving the best of themselves, they encourage students to give their best in return: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we congratulate and commend the 2020 and 2022 Kansas Master Teachers for demonstrating excellence in their profession and devotion to the children of Kansas; and

*Be it further resolved:* That we offer heartfelt thanks to these extraordinary educators who face so many challenges in the classroom each day, yet persevere, choosing the satisfaction of doing their best and overcoming the frustrations inherent in their jobs, and we extend our best wishes for their continued success and happiness; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send 14 enrolled copies of this resolution to Representative Schreiber.

## **INTRODUCTION OF GUESTS**

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

Colleagues, Today, I am honored to introduce the 2020 and 2022 classes of Kansas Master Teachers. We were not able to honor the 2020 class due to the pandemic. The pandemic also caused the cancellation of the teacher selection in 2021.

The Kansas Master Teacher program was established in 1954 by the Kansas State Teachers College (now called Emporia State University). The recipients of this award are selected by a 10-member committee. Since 1980, Bank of America has pledged more than \$100,000 to permanently endow the program. Additionally, in 1984, the Black family of Broken Bow, Oklahoma, established an endowed chair for Kansas Master Teachers. The fund provides a stipend to bring two Master Teachers to Emporia State for several days, so they can share their teaching experiences with education students. By taking the time to give back, these Master Teachers strengthen the teaching profession and serve as role models for new teachers.

The class members for 2022 are:

- Andy Battenfield, Physical Education Teacher, Village Elementary, Emporia USD 253
- Melanie Hammond, Chemistry/Physical Science Teacher, South High School, Salina USD 305
- Karen Stohlmann Henderson, Math and Engineering Teacher, Northwest High School, Blue Valley USD 229
- Sarah M. Hoff, Social Studies Teacher, Dodge City High School, Dodge City USD 443
- Gina Johnson, Fourth and Fifth Grade Teacher, O'Loughlin Elementary School, Hays USD 489
- Bryan Scruggs, Instructional Coach, Seitz Elementary School, Geary County USD 475

- Barbara Tholen, Journalism Advisor/Graphic Design Teacher, Lawrence High School, Lawrence USD 497

The class members for 2020 are:

- Hillary Barscewski, First-Grade Teacher, Cottonwood Elementary School, Andover USD 385
- Holly Bright, Kindergarten Teacher, Grandview Elementary School, El Dorado, USD 490
- Justin Heeke, Seventh-Grade Physical Education Teacher, Comanche Middle School, Dodge City USD 443
- Erica Huggard Biology/Health Science Teacher, Emporia High School, Emporia USD 253
- Eunice Izazaga, Second-Grade Teacher, Pleasant Valley Elementary School, Wichita, USD 259
- Vickie Marcozzi, Art/Enrichment Reading and Writing, Grades 2-5, Oakdale Elementary School, Salina, USD 305
- Kathy Wagoner, English Teacher, Hays High School, Hays, USD 489

I want to share the words of another great teacher named Barbara Morgan. Ms. Morgan is better known as the backup to Christa McCauliffe, the teacher on the Challenger mission that ended in disaster.

Ms. Morgan began her teaching career on a reservation in Montana. She was selected as the alternate for the Challenger mission in 1985. She later became a full-time astronaut. When she finished her space career, she continued to teach at Boise State University, and condensed her philosophy on teaching with these words, “Reach for your dreams ... the sky is no limit.”

We recognize our Master Teachers this morning, but every school day there are teachers across Kansas urging their students to reach for their dreams. The 2020 and 2022 classes of Master Teachers are in the east gallery today. I ask them to now stand and be recognized. Please help me congratulate them.

On motion of Rep. Hawkins, the House recessed until 11:35 a.m.

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#### LATE MORNING SESSION

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

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Hawkins to concur in Senate amendments to **S Sub for HB 2279**, Rep. Landwehr offered a substitute motion to noncur in Senate amendments and that a conference committee be appointed. The substitute motion prevailed.

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

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

**COMMITTEE OF THE WHOLE**

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

Recommended that **HB 2541** be passed.

Committee report to **HB 2674** be adopted; and the bill be passed as amended.

Committee report to **HB 2676** be adopted; and the bill be passed as amended.

Committee report to **HB 2582** be adopted; and the bill be passed as amended.

**HCR 5032** be adopted.

**REPORTS OF STANDING COMMITTEES**

Committee on **Appropriations** recommends **HB 2712** be passed.

Committee on **Health and Human Services** recommends **HB 2734** be passed.

Committee on **Health and Human Services** recommends **SB 200**, as amended by Senate Committee, be amended on page 1, in line 25, after "committee" by inserting "established pursuant to K.S.A. 65-1677, and amendments thereto,"; in line 27, by striking all after the period; by striking all in lines 28 through 31; in line 32, by striking all before the period and inserting "In establishing such statewide protocols, the committee shall specify:

(1) The medications or categories of medications included in the protocol for each health condition;

(2) the training or qualifications required for pharmacists to implement the protocols;

(3) requirements for documentation and maintenance of records, including patient inclusion and exclusion criteria, medical referral criteria, patient assessment tools based on current clinical guidelines, follow-up monitoring or care plans and the pharmacist's adherence to the applicable protocols; and

(4) communication requirements, including, but not limited to, notification to the patient's personal or primary care provider.

(c) The board may deny an application or renewal or revoke or suspend the license of a pharmacist upon a finding that the pharmacist has violated the provisions of this section or failed to practice within the framework of statewide protocols established pursuant to this section by the collaborative drug therapy management advisory committee";

Also on page 1, in the title, in line 3, by striking all before "certain" and inserting "initiation of therapy for"; also in line 3, after the semicolon by inserting "authorizing the collaborative drug therapy management advisory committee to adopt a statewide protocol for such therapy"; and the bill be passed as amended.

Committee on **Insurance and Pensions** recommends **SB 399**, **SB 448**, as amended by Senate Committee, be passed.

Committee on **Insurance and Pensions** recommends **SB 28** be amended by substituting with a new bill to be designated as "House Substitute for SENATE BILL NO. 28," as follows:

"House Substitute for SENATE BILL NO. 28

By Committee on Insurance and Pensions

"AN ACT concerning insurance; relating to the regulation of pharmacy benefits

managers; requiring licensure rather than registration of such entities; enacting the pharmacy benefits manager licensure act; amending K.S.A. 40-3821, 40-3822, 40-3823, 40-3824, 40-3825, 40-3826, 40-3827, 40-3829 and 40-3830 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 28** was thereupon introduced and read by title.)

Committee on **Social Services Budget** recommends **HB 2253** be amended on page 3, in line 9, by striking "and"; in line 10, after "code" by inserting ";

(16) the patient's species code; and

(17) the date the prescription was sold";

Also on page 3, by striking all in lines 37 through 43;

On page 4, by striking all in lines 1 through 16;

On page 5, in line 8, after "recipients" by inserting "or practitioners";

On page 8, in line 42, by striking "65-1684,";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking all after the semicolon; by striking lines 6 and 7; in line 8, by striking all before "amending"; also in line 8, by striking "65-1684,"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2394** be amended on page 1, in line 9, by striking "2000" and inserting "2022"; in line 36, by striking "2021" and inserting "2023";

On page 2, in line 13, after "after" by inserting "January 1, 2023, and"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2724** be amended on page 3, in line 17, by striking all after the second comma; by striking all in line 18; in line 19, by striking all before the period and inserting "in the event that the 20 mills levied by a school district pursuant to K.S.A. 72-5142, and amendments thereto, increases the property tax revenue generated for the purpose of calculating the revenue neutral rate from the previous tax year and such amount of increase in revenue generated from the 20 mills is the only reason the school district would exceed the total property tax revenue from the prior year, the school district shall be deemed to not have exceeded the revenue neutral rate in levying a tax rate in excess of the revenue neutral rate to take into account the increase in revenue from only the 20 mills"; and the bill be passed as amended.

#### COMMITTEE ASSIGNMENT CHANGE

Speaker pro tem Finch announced the appointment of Rep. Clifford to replace Rep. Poetter Parshall on Committee on Taxation on March 15, 2022.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Wednesday, March 16, 2022.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

