

# Journal of the House

## FORTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 16, 2022, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Finch 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, Dr. L.D. Holmes, Wanamaker Woods, Church of the Nazarene, Topeka.

Dear Father,

Our state and our world need Your divine intervention today. In the midst of pandemics and questions, divergent world views, and clashing values we need You.

In the providence of time, You have lifted up these gathered today to seek and find a path of legislative wisdom and unity of purpose.

Thank You for their willingness to serve and give of themselves to this worthy cause.

Today, if there are moments of disagreement, I pray Your peace might prevail.

If they must wrestle with questions beyond their human capacity to solve, I pray for Your wisdom to infuse them.

In the debate and decision encountered, I pray that Your grace might abound.

May these words of Joshua of the Old Testament guide their steps. "Be strong and courageous! Do not tremble or be dismayed, for the Lord your God is with you wherever you go."

In Jesus name,

Amen

The Pledge of Allegiance was led by Rep. Kelly.

**INTRODUCTION OF GUESTS**

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

After the end of World War II the U.S. Government evacuated Enewetak Atoll of its inhabitants so the islands could be used as a U.S. Government atomic bomb testing site of 43 atomic bombs during the 1940s and 1950s. From 1977 to 1980, 6,000 troops were deployed to the Marshall Islands to clean the nuclear fallout. These troops moved the radioactive debris to a 370 ft diameter concrete containment center on Runit Island. After three years of work the project was completed.

Servicemen were exposed to radiation 24 hours a day for up to 6 months at a time. As you might expect, participants in the cleanup are at a much greater risk of cancer and other health complications. These soldiers put themselves in harm's way for their country and now they are dealing with the health issues.

The Atomic Veterans' main focus is to help support each other via the exchange of information and to provide a sense of community during these challenging times. Their secondary focus is to urge Congress to change the current laws and recognize soldiers of the cleanup mission as "veterans who participated in radiation-risk activities during active service." Enewetak cleanup participants are not included in federal financial aid for health complications due to radiation exposure.

The Enewetak veterans from Kansas who are here to be recognized today are: Edward Acosta, Mark Bradbury, Victor Czarnecki, Jeffrey Logan, Jeffrey Van Wey and Ronald Weber. Larry Handy and David Hale could not be with us today.

Rep. Schmidt presented each of his guests with a House certificate.

**INTRODUCTION OF GUESTS**

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

Body, Today I'd like to recognize Taylor Clark. Taylor, a St. John, Kansas native and a senior at Kansas State University majoring in Music Education, was crowned Miss Kansas 2021. As Miss Kansas, Taylor will make over 400 appearances during her year-of-service, many of them motivational presentations to students in Kansas schools. Taylor's social impact initiative is Sound for Common Ground: Music Connects. Her focus for this initiative is to break down barriers and have courageous conversation around inequities, hardships and unforeseen circumstances. Throughout her year-of-service, Taylor will work to connect her social impact initiative with the Miss America and Miss Kansas Organizations. She will serve as an ambassador, representing the organization across the State of Kansas.

Taylor represented Kansas at the 2021 Miss America Competition in December. She performed a drum solo for her talent and competed with 50 other young women from across the nation for the title of Miss America 2022.

Miss Kansas travels throughout the state working closely with the Kansas Department of Wildlife, Parks and Tourism, Big Brothers Big Sisters of Kansas, and with the Kansas Department of Transportation, providing education, establishing relationships, and learning more about individuals of all ages for whom she will advocate during her year as Miss Kansas.

In addition to her work with her social impact initiative, Taylor is musically talented. While she claimed the title of Miss Kansas with a drum performance, her skills as a percussionist include being able to perform percussion instruments. Not only is she the first Miss Kansas to have also been awarded the title of Miss Kansas' Outstanding Teen, Taylor also participated in the organization's mentoring program as a Sunflower Princess. This involvement and accomplishment resulted in Taylor being awarded nearly \$17,400 in cash scholarships through the Miss Kansas, Miss Kansas' Outstanding Teen, and Miss America's Outstanding Teen competitions to apply toward her education. The Miss Kansas Organization is a state licensee of the Miss America Organization, one of the nation's leading achievement programs and the world's largest provider of scholarship assistance for young women.

The Miss Kansas Scholarship Foundation makes available academic, community service, and other scholarships to women between the ages of 17 and 25. Annually, the Miss Kansas Organization provides over \$5,000,000 in cash and in-kind scholarship assistance.

Body, please help me recognize Taylor Clark, Miss Kansas 2021 to the House floor.

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

The following bills were introduced and read by title:

**HB 2739**, AN ACT concerning taxation; relating to sales and compensating use tax; providing for a sales tax exemption for friends of the mentally ill foundation, inc.; amending K.S.A. 2021 Supp. 79-3606, as amended by section 16 of 2022 Senate Bill No. 347, and repealing the existing section, by Committee on Taxation.

**HB 2740**, AN ACT concerning gaming; relating to the Kansas expanded lottery act; Kansas lottery and Kansas racing and gaming commission, rules and regulations; authorizing sports wagering; creating the sports wagering receipts fund, the white collar crime fund, the privilege fee repayment fund and the facility manager licensee repayment fund; authorizing parimutuel licensees to operate historical horse race machines; amending K.S.A. 46-2301, 74-8702, 74-8710, 74-8711, 74-8716, 74-8718, 74-8733, 74-8734, 74-8751, 74-8752, 74-8757, 74-8760, 74-8761, 74-8802, 74-8804, 74-8814, 74-8823, 74-8836 and 79-4806 and K.S.A. 2021 Supp. 21-6403 and 21-6507 and repealing the existing sections, by Committee on Federal and State Affairs.

## **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Judiciary: **SB 507**.

Redistricting: **HB 2737**.

Taxation: **HB 2738, SB 403**.

## **MESSAGES FROM THE SENATE**

The Senate accedes to the request of the House for a conference on **S Sub for HB 2279** and has appointed Senators Hilderbrand, Gossage and Pettey as conferees on the part of the Senate.

Announcing adoption of **SCR 1623**.

Announcing passage of **SB 389, SB 494**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

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

**SB 389, SB 494, SCR 1623.**

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2541**, AN ACT concerning the judicial branch; relating to docket fees, marriage license fees and drivers' license reinstatement fees; crediting the fees to the state general fund; amending K.S.A. 28-177 and 28-178 and K.S.A. 2021 Supp. 8-2110, 20-1a04, 20-362 and 23-2510 and repealing the existing sections; also repealing K.S.A. 2021 Supp. 8-2110c, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 12; Present but not voting: 0; Absent or not voting: 2.

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

Nays: Blex, Burris, Fairchild, Garber, Helgerson, Houser, Huebert, Jacobs, Lee-Hahn, Mason, Rhiley, Wasinger.

Present but not voting: None.

Absent or not voting: Meyer, Poetter.

The bill passed.

**HB 2582**, AN ACT concerning children and minors; relating to the Kansas department for children and families; clarifying information exchange in investigations of child abuse between the department and law enforcement agencies; directing the department to release certain information to law enforcement agencies; amending K.S.A. 38-2210, 38-2211 and 38-2212 and repealing the existing sections, was considered on final action.

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

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

Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schmidt, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Rhiley.

Present but not voting: None.

Absent or not voting: Meyer, Poetter.

The bill passed, as amended.

**HB 2674**, AN ACT concerning crimes, punishment and criminal procedure; relating to conditions of release prior to trial; requiring a forfeiture of an appearance bond to be set aside in certain circumstances; amending K.S.A. 2021 Supp. 22-2807 and repealing the existing section, was considered on final action.

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

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

Present but not voting: None.

Absent or not voting: Meyer, Poetter.

The bill passed, as amended.

**HB 2676**, AN ACT concerning counties; allowing counties to create a code inspection and enforcement fund and expanding the existing equipment fund to include electronic technology; amending K.S.A. 19-119 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 11; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Clayton, Clifford, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howell, Howerton, Hoyer, Huebert,

Humphries, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, F. Patton, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schmidt, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, W. Carpenter, Estes, Fairchild, Garber, Howe, Jacobs, Mason, Penn, Rhiley, Seiwert.

Present but not voting: None.

Absent or not voting: Meyer, Poetter.

The bill passed, as amended.

**HCR 5032**, A CONCURRENT RESOLUTION honoring the commitment and resilience of the Ukrainian people fighting against the Russian invasion, 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: Alcala, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Coleman, Collins, Concannon, Corbet, Croft, Curtis, 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, Howell, Howerton, Hoye, Huebert, Humphries, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schmidt, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Garber, Jacobs, Lee-Hahn.

Present but not voting: None.

Absent or not voting: Meyer, Poetter.

The resolution was adopted.

#### EXPLANATIONS OF VOTE

MR SPEAKER: I vote yes on **HCR 5032**. I'm supporting this resolution under the assumption that providing aid and support to the Ukrainian people doesn't involve using military action in this conflict. I believe that we've gotten involved in far too many military conflicts over the years, and I don't believe that we should go to war with Russia, the world's third leading superpower, unless it's necessary to repel an active attack on the United States. — BRETT FAIRCHILD, AARON COLEMAN

MR SPEAKER: I vote NO on **HCR 5032** because of page 2, line 6 that offers aid to Ukraine. Borders of countries do matter. There is an invasion happening on the southern border of the United States and we are doing nothing about it. The United States is

silent on protecting the citizens of the USA. I do not agree with sending aid to a country that's been riddled with much corruption while we are not spending a dime at home. American taxpayers deserve better. I do empathize with the people of Ukraine, but while the USA is sliding into a recession, there's no wisdom in propping up another country while ours is on the precipice of collapse. – TATUM LEE

MR SPEAKER: I vote Yes on **HCR 5032**, the Resolution supporting the people and nation of Ukraine in their defense of their land from Russian aggression. But I think we should point out that our own national borders are being violated constantly and in violation of the will of the American people as expressed in our own laws. The situation on the southern border of the United States is an outrage, of a lower level to be sure, but nonetheless an illustration of why all peoples and nations should respect national borders and sovereignty. – PAUL WAGGONER

MR SPEAKER: I support the sovereign nation of Ukraine and their right to defend themselves against the invasion of Russia. However, I do not believe the UNITED STATES OF AMERICA should engage militarily in this conflict in Europe. We do not need to police the world when we will not even protect our own borders here from illegal invaders. Our own nation is spiraling down in economic failure, our citizens are hurting and now the Kansas government suggests more aid to another foreign nation. When will they stand to protect the rights of our own Nation and its citizens first? Therefore, I vote "No" on **HCR 5032** – TREVOR JACOBS

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

### COMMITTEE OF THE WHOLE

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

Recommended that **SB 335**, **SB 392** be passed.

Committee report to **HB 2528** be adopted.

Also, on motion of Rep. Eplee, **HB 2528** be amended as amended by House Committee, on page 5, following line 5, by inserting:

"New Sec. 3. (a) Each vendor of an inflatable device operated in this state shall obtain an annual permit for such inflatable device issued by the department. The owner shall submit an application for a permit along with a \$25 fee for each vendor to the secretary on such form and in such manner as prescribed by the secretary. The application for a permit shall include, but not limited to, the following:

- (1) The name of the vendor and operator of the inflatable devices;
- (2) the location of the inflatable devices or the location where such devices are stored when not in use;
- (3) a valid certificate of annual inspection by an insurer; and
- (4) proof of insurance.

(b) No inflatable devices shall be rented unless the customer receives from the vendor clear and proper use and safety protocols for use of the device from the vendor of the device as provided by the manufacturer.

(c) Any person violating this section shall be subject to a civil penalty of not to exceed \$500 for each violation. Notice of violations and appeal of any such violations by a vendor shall be as provided in K.S.A. 44-1610, and amendments thereto.

(d) This section shall be a part of and supplemental to the Kansas amusement ride act, K.S.A. 44-1601 et seq., and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking the first "the" and inserting "certain" and the bill be passed as amended.

Committee report to **SB 348** be adopted; and the bill be passed as amended.

### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 451** be amended on page 1, in line 18, by striking "American"; also in line 18, by striking all after "Indian"; by striking all in line 19; in line 20, by striking all before the fourth period and inserting "tribe that appears on the list of Indian tribes published by the secretary of the interior in accordance with the federally recognized Indian tribe list act of 1994, title I, public law 103-454"; and the bill be passed as amended.

Committee on **Energy, Utilities and Telecommunications** recommends **SB 417**, As Amended by Senate Committee, CORRECTED, be passed.

Committee on **Federal and State Affairs** recommends **HB 2644** be passed.

Committee on **Health and Human Services** recommends **SB 453**, As Amended by Senate Committee, be amended on page 1, following line 9, by inserting:

"New Section 1. On or before January 9, 2023, and on or before the first day of each regular session of the legislature thereafter, the board of nursing shall submit a report to the house of representatives standing committee on health and human services and the senate standing committee on public health and welfare, or any successor committees thereto, on the number and nature of complaints filed, investigated or charged pursuant to K.S.A. 65-1120(b), and amendments thereto, in the prior calendar year concerning any person licensed, certified, registered or otherwise regulated by the board of nursing. Such report shall not include any personally identifiable information or any information that is confidential or otherwise restricted from disclosure under the open records act or any other provision of law.";

Also on page 1, in line 28, by striking all before "working" and inserting "unlicensed employees"; in line 31, by striking "appropriate" and inserting "approved"; in line 32, after "certified" by inserting "nurse";

On page 2, in line 4, by striking all before "who" and inserting "unlicensed employee"; also in line 4, after "completed" by inserting "at least"; also in line 4, after "of" by inserting "the certified nurse aide"; also in line 4, by striking all after "training"; in line 5, by striking all before "approved"; in line 6, after "services" by inserting "or who is not making progress to complete the course of education and training required by the secretary for aging and disability services under paragraph (2) within four months following completion of such 40 hours"; in line 7, by striking all after "(A)"; by striking all in lines 8 through 10; in line 11, by striking "(B)"; also in line 11, by striking all after "training"; by striking all in lines 12 and 13; in line 14, by striking "services"

and inserting "and remaining hours in the certified nurse aide training shall be performed under the general supervision of a course supervisor. The course supervisor shall be defined in rules and regulations and approved by the secretary for aging and disability services. As used in this subparagraph, "supervision" means the same as defined in K.S.A. 65-1165, and amendments thereto"; in line 15, after "home" by inserting ", hospital, as defined in K.S.A. 65-425, and amendments thereto, hospice or program for all-inclusive care for the elderly"; also in line 15, by striking "person" and inserting "course sponsor"; in line 16, after "home" by inserting ", hospital, hospice or program for all-inclusive care for the elderly"; in line 17, by striking "any course of education and training" and inserting "an approved certified nurse aide training course"; following line 18, by inserting:

"(B) Each instructor under the supervision of a course supervisor of the certified nurse aide training course shall be licensed to practice in Kansas and in good standing. As used in this subparagraph, "in good standing" includes the possession of a license, certificate or registration that is subject to probation or non-disciplinary conditions, limitations or restrictions, but does not include a license, certificate or registration that is revoked, canceled or surrendered or subject to pending license-related disciplinary action. If the records of the Kansas department for aging and disability services reflect that an individual has a prohibiting offense, such license, certificate or registration shall not be considered "in good standing." Any license, certificate or registration that is subject to disciplinary conditions, limitations or restrictions shall remain subject to such conditions, limitations or restrictions.";

Also on page 2, in line 23, by striking all before "working" and inserting "unlicensed employees"; in line 27, after "certified" by inserting "nurse"; in line 35, after "home" by inserting ", hospital, as defined in K.S.A. 65-425, and amendments thereto, hospice or program for all-inclusive care for the elderly"; in line 36, after "home" by inserting ", hospital, hospice or program for all-inclusive care for the elderly"; in line 37, after "home" by inserting ", hospital, hospice or program for all-inclusive care for the elderly"; in line 43, by striking "certified aides" and inserting "unlicensed employees";

On page 3, in line 6, after "setting" by inserting "approved by the secretary for aging and disability services. As used in this subparagraph, "in good standing" includes the possession of a license, certificate or registration that is subject to probation or non-disciplinary conditions, limitations or restrictions, but does not include a license, certificate or registration that is revoked, canceled or surrendered or subject to pending license-related disciplinary action. If the records of the Kansas department for aging and disability services reflect that an individual has a prohibiting offense, such license, certificate or registration shall not be considered "in good standing." Any license, certificate or registration that is subject to disciplinary conditions, limitations or restrictions shall remain subject to such conditions, limitations or restrictions"; in line 8, by striking all before "working" and inserting "unlicensed employees"; in line 15, by striking "Certified aides" and inserting "Unlicensed employees"; in line 23, by striking "certified aides" and inserting "unlicensed employees"; in line 27, by striking "certified aides" and inserting "unlicensed employees"; in line 41, after "certified" by inserting "nurse";

On page 4, in line 3, after "certified" by inserting "nurse"; in line 8, after "certified" by inserting "nurse"; in line 15, after "certified" by inserting "nurse"; in line 22, after "certified" by inserting "nurse";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "adult care homes" and inserting "health professions and practices"; in line 2, by striking all before "working" and inserting "unlicensed employees"; in line 3, by striking "certified aide" and inserting "unlicensed employee"; in line 6, before "amending" by inserting "requiring the board of nursing to report to certain legislative committees on the the number and nature of complaints received;"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 367, SB 434, SB 435, SB 483** be passed.

Committee on **Judiciary** recommends **HB 2447** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2447," as follows:

"Substitute for HOUSE BILL NO. 2447

By Committee on Judiciary

"AN ACT concerning crimes, punishment and criminal procedure; relating to preliminary hearings; permitting witness testimony through two-way electronic audio-video communication devices; amending K.S.A. 2021 Supp. 22-2902 and repealing the existing section.";

And the substitute bill be passed.

(**Sub HB 2447** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2495** be amended on page 1, in line 11, by striking all after "require"; in line 12, by striking all before "to" and inserting "a nonprofit organization"; in line 18, by striking all after "of"; by striking all in line 19; in line 20, by striking all before "to" and inserting "nonprofit organizations"; in line 28, by striking "Any" and inserting "A";

On page 2, in line 5, by striking "and"; in line 8, after "thereunder" by inserting ";

(6) any adult care home as defined in K.S.A. 39-923, and amendments thereto;

(7) information provided to the attorney general as part of the registration process, or collected as part of the enforcement of, the charitable organizations and solicitations act, K.S.A. 17-1759 et seq., and amendments thereto, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed without the consent of the donor;

(8) information provided to the attorney general by any person, including, but not limited to, a consumer, supplier or related witness, collected as part of the enforcement of the Kansas consumer protection act, K.S.A. 50-623 et seq., and amendments thereto, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed without the consent of the donor;

(9) information concerning the staff, officers and the individuals designated to control funding needed to process and verify a request for a grant of funds from or a contract for goods or services with any public agency, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed;

(10) a request by the department of revenue for information required for an audit, examination or investigation, except that such information shall only be used in connection with the specific audit, examination or investigation and for any related proceedings; and

(11) the collection of information related to boards of directors, officers, resident

agents, incorporators and large capital holders of an organization in any report or disclosure required by any statute to be made with the secretary of state with the intent that it becomes a public record, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed";

Also on page 2, in line 17, after "(1)" by inserting "'Nonprofit organization" means an organization that is exempt from federal income taxation pursuant to section 501(c) of the federal internal revenue code, has submitted an application with the internal revenue service for recognition of an exemption under section 501(c) of the federal internal revenue code or is a not-for-profit business entity organized under the Kansas general corporation code;

(2)";

Also on page 2, in line 20, by striking all after "to"; by striking all in line 21; in line 22, by striking all before the semicolon and inserting "a nonprofit organization";

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

On page 1, in the title, in line 2, after "with" by inserting "certain nonprofit"; also in line 2, by striking all after "organizations"; in line 3, by striking all before the semicolon; and the bill be passed as amended.

#### **COMMITTEE ASSIGNMENT CHANGE**

Speaker pro tem Finch announced the appointment of Rep. Kelly to replace Rep. Borjon on Committee on Insurance and Pensions on March 16, 2022.

Also, the appointment of Rep. Borjon to replace Rep. Kelly on Committee on Taxation on March 16, 2022.

Also, the appointment of Rep. Schmidt to replace Rep. Finney on Committee on Insurance and Pensions on March 16, 2022.

Also, the appointment of Rep. Hoyer to replace Rep. Meyer on Committee on Insurance and Pensions on March 16, 2022.

#### **REPORT ON ENGROSSED BILLS**

**HB 2582, HB 2674, HB 2676** reported correctly engrossed March 15, 2022.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Thursday, March 17, 2022.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

