

Journal of the House

FORTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 29, 2022, 10:00 a.m.

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

The roll was called with 121 members present.

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

Reps. Alcala and Mason were excused on excused absence by the Speaker.

Present later: Rep. Alcala.

Prayer by Chaplain Brubaker:

Loving and gracious God,
thank You for this beautiful day You have given us.
As our leaders continue to conduct the business before them,
may they be inspired and encouraged by Your love
to avoid the inclination to serve themselves,
and to do what is good and honorable in Your eyes.
May their decisions align with Your design.
Guide their conversations and discussions
that they may reflect your goodness, love and justice.
And when all is said and done,
may the outcome be that which is good for Kansans
and pleasing to You.
I pray this in Your loving and powerful name,
Amen.

The Pledge of Allegiance was led by Rep. Thomas.

INTRODUCTION OF GUESTS

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

Rep. Gartner and Rep. Dodson asked that all Vietnam Veterans join them on the floor. They also recognized those veterans that were in the Gallery.

It is truly an honor to recognize the brave men and women who served our country with honor, pride, and courage during a difficult period in our Nation's history. Unfortunately, closure and resolution were not available to many of these Vietnam Veterans who are with us today. It's great to be here as we honor two of our Kansas Vietnam Veterans.

The Kansas Vietnam Era Medallion Program was signed into law in 2009 and provides for a Vietnam Era Medallion, Medal, and Certificate. The design for the medal and medallion was selected as the best representation of those Veterans who served during this period. Since the program started, the Kansas Commission Veterans Affairs Office has awarded almost 8,000 Medallions, Medals, and Certificates to Kansas Veterans. Rep. Gartner read the Certificate of Appreciation to be given to each Veteran.

Rep. Dodson introduced Vietnam Veteran Dan Rathbun, his wife, Pamela Rathbun and Roland Mayhew, President of the Vietnam Veterans of America Kansas State Council. Dan Rathbun served on active duty in the United States Marine Corps as a Rifleman/Military Policeman from August 18, 1966, until September 10, 1969 and then transferred to the Marine Corps reserve for several years. He served in Vietnam for 1 year and 25 days in 1966.

Representative Gartner introduced Vietnam Veteran, Glenn Fogo. He was joined by his wife, Carol Fogo. He served on active duty in the United States Air Force as a Communications Officer from March 9, 1967, until January 3, 1972. He served in Vietnam from 1969 to 1970.

Each Veteran was presented with a State of Kansas Certificate of Appreciation, a Vietnam Era Medallion and Medal in recognition and appreciation for their service.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Federal and State Affairs: **SB 351, SB 438.**

Health and Human Services: **SB 155, SB 489.**

Judiciary: **HB 2745, SB 541.**

Taxation: **SCR 1619.**

Transportation: **SB 546.**

MESSAGE FROM THE SENATE

The Senate nonconcurrs in House amendments to **SB 405**, requests a conference and has appointed Senators Olson, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **Sub SB 563**, requests a conference and has appointed Senators Wilborn, Masterson and Sykes as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 150**, requests a conference and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

The Senate announced the appointment of Senator Corson to replace Senate Haley as a conferee on **H Sub for Sub SB 286**.

The Senate concurs in House amendments to **SB 348**, and requests return of the bill.

The Senate concurs in House amendments to **SB 451**.

The Senate concurs in House amendments to **SB 493**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 150**.

Speaker Ryckman thereupon appointed Reps. Tarwater, Long and Clayton 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 405**.

Speaker Ryckman thereupon appointed Reps. Barker, Arnberger and Ruiz, L. 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 **Sub SB 563**.

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

CHANGE OF CONFEREES

Speaker Ryckman announced the appointment of Reps. Barker, Arnberger, and L. Ruiz to replace Reps. Clark, Ellis, and Weigel as members of the conference committee on **HB 2540**.

Also, the appointment of Reps. Williams, Hoffman, and Winn to replace Reps. Patton, Ralph, and Carmichael as members of the conference committee on **SB 58**.

On motion of Rep. Hawkins, the House recessed until 10:30 a.m.

LATE MORNING SESSION

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

MESSAGE FROM THE GOVERNOR

HB 2574 approved on March 29, 2022.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Patton, the House concurred in Senate amendments to **S Sub for HB 2458**, AN ACT concerning driver's licenses; relating to vision requirements; limiting the liability of optometrists and ophthalmologists who provide information to the division of vehicles; amending K.S.A. 8-295 and repealing the existing section.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: 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, Lynn, Meyer, 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: None.

Present but not voting: None.

Absent or not voting: Alcala, Long, Mason, Poetter.

On motion of Rep. Patton, the House concurred in Senate amendments to **HB 2228**, AN ACT concerning sexual assault evidence kits; relating to submission of kits by law enforcement agencies; conducting evidence collection at child advocacy centers; amending K.S.A. 38-2227 and 65-448 and repealing the existing sections.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: 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, Helgeson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Lynn, Meyer, 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: None.

Present but not voting: None.

Absent or not voting: Alcala, Long, Mason, Poetter.

On motion of Rep. Patton, the House concurred in Senate amendments to **HB 2075**, AN ACT concerning the probate code; relating to adoption; venue; agency adoptions; amending K.S.A. 2021 Supp. 59-2126 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: 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, Helgeson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Lynn, Meyer, 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: None.

Present but not voting: None.

Absent or not voting: Alcala, Long, Mason, Poetter.

On motion of Rep. Patton, the House concurred in Senate amendments to **HB 2537**, AN ACT concerning the insurance department; relating to the Kansas administrative procedure act; requiring a hearing at the request of any person subject to an order; amending K.S.A. 40-281 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: 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, Lynn, Meyer, 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: None.

Present but not voting: None.

Absent or not voting: Alcala, Long, Mason, Poetter.

On motion of Rep. Rahjes, the House concurred in Senate amendments to **HB 2605**, AN ACT concerning animal care; relating to the veterinary training program for rural Kansas; establishing an advisory committee; increasing the rural population requirement maximum; creating a food animal percentage requirement in lieu of such rural population requirement; amending K.S.A. 76-4,112 and repealing the existing section.

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

Yeas: 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, 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, Lynn, Meyer, 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: Fairchild, Rhiley.

Present but not voting: None.

Absent or not voting: Alcala, Long, Mason, Poetter.

On motion of Rep. F. Patton, the House nonconcurred in Senate amendments to **S Sub for HB 2416** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Smith, A., Highland and Gartner as conferees on the part of the House.

On motion of Rep. Hawkins, the House recessed until 2:00 p.m.

EARLY AFTERNOON SESSION

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2746, AN ACT concerning abortion; prohibiting abortion except in certain circumstances; creating the crimes of unlawful performance of an abortion and unlawful destruction of a fertilized embryo and establishing penalties therefor; restricting the use of fetal tissue; relating to exclusions from sales and use tax exemptions for certain abortion providers; amending K.S.A. 65-445, 65-2401, 65-2837, 65-6731, 65-6732, 65-67a01, 65-67a02, 65-67a04, 65-67a07, 65-67a09, 76-3308, 79-32,182b, 79-32,195 and 79-32,261 and K.S.A. 2021 Supp. 21-5301, 21-5302, 21-5303, 60-1901, 60-1906 and 79-3606 and repealing the existing sections; also repealing K.S.A. 38-2003, 65-4a01, 65-4a02, 65-4a03, 65-4a04, 65-4a05, 65-4a06, 65-4a07, 65-4a08, 65-4a09, 65-4a10, 65-4a11, 65-4a12, 65-6701, 65-6702, 65-6703, 65-6704, 65-6705, 65-6707, 65-6708, 65-6709, 65-6710, 65-6711, 65-6712, 65-6714, 65-6715, 65-6721, 65-6722, 65-6723, 65-6724, 65-6725, 65-6726, 65-6741, 65-6742, 65-6743, 65-6744, 65-6745, 65-6746, 65-6747, 65-6748 and 65-6749, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **H Sub SB 84** from the Committee on Federal and State Affairs and re-referral to the Calendar under the heading General Orders.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **S Sub for HB 2056** and has appointed Senators Olson, 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 2239** and has appointed Senators Tyson, Peck and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2299** 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 2377** 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 **S Sub for HB 2448** and has appointed Senators Hilderbrand, Gossage and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2456** and has appointed Senators Kerschen, Ryckman and Ware as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2466** and has appointed Senators Baumgardner, Erickson and Sykes as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2476** 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 2489** 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 2510** and has appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2537** 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 2559** and has appointed Senators Kerschen, Ryckman and Ware as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2564** and has appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2567** and has appointed Senators Baumgardner, Erickson and Sykes as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2595** 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 **S Sub for HB 2597** and has appointed Senators Tyson, Peck and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2607** 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 2703** and has appointed Senators Erickson, Dietrich and Holland as conferees on the part of the Senate.

The Senate announced the appointment of Senators Baumgardner, Erickson and Sykes to replace Senators Warren, Wilborn and Haley as conferees on **SB 58**.

The Senate announced the appointment of Senators Tyson, Peck, and Holland to replace Senators Warren, Baumgardner, and Haley as conferees on **HB 2106**.

The Senate announced the appointment of Senator Corson to replace Senator Haley as a conferee on **SB 150**.

CHANGE OF CONFEREES

Speaker Ryckman announced the appointment of Reps. Williams, Hoffman, and Winn to replace Reps. Rahjes, E. Smith, and Carlin as members of the conference committee on **SB 160**.

Also, the appointment of Rep. Highland to replace Rep. Mason as a member of the conference committee on **HB 2106**.

Also, the appointment of Reps. Landwehr, Eplee, and S. Ruiz to replace Reps. Barker, Arnberger, and L. Ruiz as members of the conference committee on **HB 2540**.

On motion of Rep. Hawkins, the House recessed until 4:00 p.m.

LATE AFTERNOON SESSION

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2747, AN ACT concerning the Johnson county education research triangle authority act; relating to approved research and education programs; adding other programming for approved programs; amending K.S.A. 19-5005 and repealing the existing section, by Committee on Taxation.

CHANGE OF CONFEREES

Speaker Ryckman announced the appointment of Rep. Anderson to replace Rep. Long as a member of the conference committee on **S Sub for HB 2448**.

On motion of Rep. Hawkins, the House recessed until 5:15 p.m.

EARLY EVENING SESSION

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

REPORT ON ENGROSSED BILLS

HB 2075, **HB 2537** reported correctly engrossed March 29, 2022.

REPORT ON ENGROSSED BILLS

HB 2228, **HB 2605** reported correctly re-engrossed March 29, 2022.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Wednesday, March 30, 2022.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*