

# Journal of the House

## SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 18, 2023, 11:00 a.m.

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

The roll was called with 123 members present.

Rep. Poetter Parshall was excused on verified illness.

Rep. Carlin was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear loving and faithful God,  
thank you for this beautiful day.  
As our leaders begin their work,  
remind them often of the people they represent.  
From Elkhart to Baxter Springs,  
St. Francis to Troy,  
and every place in between,  
we recognize the variety of needs of the people.  
Although we understand that one size does not fit all,  
guide the leaders in finding commonalities that will unify us.  
This I pray, Amen.

The Pledge of Allegiance was led by Rep. Ellis.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Oropeza, Bryce, Clifford and Eplee are spread upon the Journal:

Rep. Oropeza began with these remarks. It's time for the 2023 Legislative Session and as you well know, your lifestyle will take on some major changes. Whether it's high-stress debates, long nights of research and review, dinners out with fewer healthier choices, an increase in alcohol consumption, less time for physical activity or all the other situations you endure while working on policy to positively impact Kansas, the bottom line is – it's likely a less-healthy time of year for you. We want to make sure you make it back to your family safely and healthy, so please take a moment to review the signs and symptoms of a heart attack and stroke. Minutes matter when it comes to these emergency situations, so if you are feeling off or notice any of these symptoms in yourself or others, call 911! Rep. Oropeza also pointed out the locations of defibrillators in the Capitol building.

Rep. Bryce continued and informed the body of the signs of a stroke using the acronym FACE. FACE DROOPING - Does one side of the face droop or is it numb? Ask the person to smile; ARM WEAKNESS - Is one arm weak or numb? Ask the person to raise both arms. Does one arm drift downward?; SPEECH DIFFICULTY - Is speech slurred, are they unable to speak, or are they hard to understand? Ask the person to repeat a simple sentence, like "the sky is blue." Is the sentence repeated correctly?; TIME TO CALL 911 - If the person shows any of these symptoms, even if the symptoms go away, call 911 and get them to the hospital immediately.

Reps. Clifford and Eplee read the following words:

**WHEREAS**, cardiovascular diseases (CVD) is the leading cause of death in Kansas and worldwide and stroke is Kansas' 5<sup>th</sup> leading cause;

**WHEREAS**, hypertension, or high blood pressure is a leading risk factor of CVD and stroke;

**WHEREAS**, men, adults over 65, Blacks, and adults with lower income are more likely to be affected; and

**WHEREAS**, despite its prevalence, only one in five people has their High Blood Pressure under control, and less than half (46%) even know they have high blood pressure; and

**WHEREAS**, blood pressure is written as two numbers, such as 112/78 mm Hg. The top, systolic, number is the pressure when the heart beats. The bottom, diastolic, number is the pressure when the heart rests between beats. Normal blood pressure is below 120/80 mm Hg; and

**WHEREAS**, if you're an adult and your systolic pressure is 120 to 129, and your diastolic pressure is less than 80, you have elevated blood pressure. High blood pressure is a pressure of 130 systolic or higher, or 80 diastolic or higher, that stays high over time; and

**WHEREAS**, high blood pressure usually has no signs or symptoms, which is why it is so dangerous. But it can be managed. Make sure you get your blood pressure checked regularly and treat it the way your doctor advises; and

**WHEREAS**, as American Heart Association is a trusted, passionate and relevant force for change to eradicate heart disease and stroke and be a relentless force for a world of longer, healthier lives; and

**WHEREAS**, Kansas Emergency Medical Service Association urges all Kansans to get regular medical screenings and know the risks, preventions, and care of cardiovascular disease; and

**NOW, THEREFORE**, the Kansas House of Representatives in recognition of the importance of hypertension awareness and the ongoing fight against heart disease and stroke, do hereby proclaim Wednesday, January 18, 2022 to be Blood Pressure Check Day at the Kansas Capitol.

Rep. Eplee thanked his fellow presenters and reminded everyone to get their blood pressure checked. He also introduced guests; Nancy Holland, Advocacy Director of the American Heart Association, Kansas and Arlen Broxterman, Riley County EMS as well as other Emergency Medical Professionals in the Gallery.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills and concurrent resolution were introduced and read by title:

**HB 2049**, AN ACT concerning health professions and practices; relating to unlicensed employees working in adult care homes; nurse aide courses of instruction; prohibiting the secretary for aging and disability services from requiring that such courses to be longer than 75 hours; amending K.S.A. 2022 Supp. 39-936 and repealing the existing section, by None.

**HB 2050**, AN ACT concerning the state children's health insurance program; relating to eligibility; updating income requirements therefor; amending K.S.A. 38-2001 and repealing the existing section, by None.

**HB 2051**, AN ACT establishing the advisory commission on Asian-American Pacific Islander affairs; providing for the composition thereof; appointment of members; powers and duties, by Representative Xu.

**HB 2052**, AN ACT concerning elections; relating to voter registration; requiring correction of voter registration lists when notice is provided that a person is disqualified from juror service due to not being a United States citizen; amending K.S.A. 43-162 and K.S.A. 2022 Supp. 25-2316c and repealing the existing sections, by Committee on Elections.

**HB 2053**, AN ACT concerning elections; relating to advance voting ballots; authorizing the secretary of state to adopt rules and regulations for the use of remote ballot boxes, by Committee on Elections.

**HB 2054**, AN ACT concerning elections; relating to requests for recounts of votes after an election; modifying the deadline for submitting such requests; amending K.S.A. 25-3107 and repealing the existing section, by Committee on Elections.

**HB 2055**, AN ACT concerning elections; relating to advance voting ballots; prohibiting third parties from mailing applications for such ballots to registered voters; amending K.S.A. 25-1122 and repealing the existing section, by Committee on Elections.

**HB 2056**, AN ACT concerning elections; relating to advance voting ballots; requiring the return of such ballots by 7 p.m. on the day of the election; amending K.S.A. 25-1132 and repealing the existing section, by Committee on Elections.

**HB 2057**, AN ACT concerning elections; relating to advance voting ballots; regulating the use of remote ballot boxes for the return of such ballots, by Committee on Elections.

**HB 2058**, AN ACT concerning alcoholic beverages; relating to the special order shipping of wine; requiring monthly remittance of gallonage taxes; amending K.S.A. 41-350 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2059**, AN ACT concerning alcoholic beverages; amending the common consumption area law to permit rather than require roads be blocked and allowing designation of such areas by signage; amending K.S.A. 41-2659 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2060**, AN ACT concerning education; relating to special education and related services; establishing the special education and related services funding task force; repealing K.S.A. 72-3441, by Committee on K-12 Education Budget.

**HB 2061**, AN ACT concerning taxation; relating to income tax rates; providing a 5% tax rate for individuals and corporations and providing that future tax rate decreases be

contingent on exceeding revenue estimates; relating to privilege tax rates; decreasing the surtax; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2022 Supp. 79-32,110 and repealing the existing sections, by Committee on Taxation.

**HB 2062**, AN ACT concerning taxation; relating to rental and leased motor vehicles; imposing property tax on rental and leased vehicles and discontinuing the excise tax on the rental or lease thereof; amending K.S.A. 8-1,189, 8-2802, 79-5101 and 79-5117 and K.S.A. 2022 Supp. 79-3606 and repealing the existing sections, by Committee on Taxation.

**HB 2063**, AN ACT concerning workers compensation; limiting workers compensation reductions based on the receipt of retirement benefits to reductions of permanent disability compensation based on the receipt of retirement benefits that begin after an accident; amending K.S.A. 44-501 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

**HB 2064**, AN ACT concerning economic development; relating to income and privilege tax incentives for employee savings accounts; establishing the Kansas employee emergency savings account (KEESA) program; providing an income and privilege tax credit for certain eligible employer deposits to employee savings accounts established under the program; providing a subtraction modification for certain employee deposits to savings accounts established under the program; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

**HB 2065**, AN ACT concerning family law; relating to dissolution of marriage; allowing change to name other than former or maiden name; amending K.S.A. 2022 Supp. 23-2716 and repealing the existing section, by Representatives Highberger and Neelly.

**HB 2066**, AN ACT concerning property taxation; relating to motor vehicles; providing for a property tax exemption of up to two motor vehicles for firefighters and emergency medical service providers; amending K.S.A. 2022 Supp. 79-5107 and repealing the existing section, by Committee on Taxation.

**HB 2067**, AN ACT concerning crimes, punishment and criminal procedure; increasing the felony loss thresholds of certain property crimes to match theft; amending K.S.A. 2022 Supp. 21-5802, 21-5813, 21-5821, 21-5825, 21-5828, 21-5830, 21-5927, 21-6002, 21-6004, 21-6005 and 21-6205 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2068**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; multiple sentences for persons convicted of a new crime; modifying how certain prior convictions are counted for the special sentencing rule related to possession of a controlled substance; amending K.S.A. 2022 Supp. 21-6606 and 21-6805 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2069**, AN ACT concerning crimes, punishment and criminal procedure; relating to postrelease supervision; providing that such term does not toll except as provided by law; amending K.S.A. 2022 Supp. 22-3722 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2070**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; allowing certain nondrug offenders to participate in a certified drug abuse treatment program; amending K.S.A. 2022 Supp. 21-6824 and repealing the existing

section, by Committee on Corrections and Juvenile Justice.

**HB 2071**, AN ACT concerning crimes, punishment and criminal procedure; relating to terminal medical release; criteria for release; permitting release earlier in terminal diagnosis; amending K.S.A. 2022 Supp. 22-3729 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2072**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; reducing the range for an offender classified in grid blocks 5-A through 5-H and increasing the range for an offense classified in grid block 5-I; amending K.S.A. 2022 Supp. 21-6805 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2073**, AN ACT concerning children and minors; relating to juvenile offenders; the revised Kansas juvenile justice code; prohibiting fines, fees and costs from being assessed against a juvenile or a juvenile's parent, guardian or custodian; amending K.S.A. 12-16, 119, 20-3129, 28-170, 28-170a, 28-176, 38-2306, 38-2312, 38-2315, 38-2317, 38-2328, 38-2331, 38-2346, 38-2348, 38-2360, 38-2361, 38-2362, 38-2369, 38-2373, 38-2384, 38-2389, 38-2396, 38-2399 and 75-724 and K.S.A. 2022 Supp. 21-6609, 22-4905 and 28-177 and repealing the existing sections; also repealing K.S.A. 38-2314, 38-2319, 38-2321 and 38-2324 and K.S.A. 2022 Supp. 20-167, by Committee on Corrections and Juvenile Justice.

**HB 2074**, AN ACT concerning the care and treatment act for mentally ill persons; relating to temporary custody orders; allowing courts to prohibit possession of a firearm therein; amending K.S.A. 59-2959 and K.S.A. 2022 Supp. 59-2966 and repealing the existing sections, by Committee on Judiciary.

**HB 2075**, AN ACT concerning elections; relating to campaign practices; requiring publication of signed statements of fair campaign practices; creating a cause of action for violations of such statement and for making materially false statements; amending K.S.A. 25-4119g and repealing the existing section, by Representative Poskin.

**HB 2076**, AN ACT repealing K.S.A. 2022 Supp. 60-5322; the adoption protection act, by Representatives Meyer, Ruiz, S. and Woodard.

**HB 2077**, AN ACT concerning information technology; relating to information technology projects and reporting requirements; information technology security training and cybersecurity reports; requiring certain information to be provided to the joint committee on information technology; amending K.S.A. 46-2102, 75-7201, 75-7205, 75-7206, 75-7208, 75-7209, 75-7210, 75-7211, 75-7237, 75-7239, 75-7240 and 75-7242 and repealing the existing sections, by Committee on Joint Committee on Information Technology.

**HB 2078**, AN ACT concerning information technology; relating to the information technology executive council; providing for membership requirements, terms of members and quorum requirements; amending K.S.A. 75-7202 and repealing the existing section, by Committee on Joint Committee on Information Technology.

**HB 2079**, AN ACT concerning wildlife; relating to the Kansas department of wildlife and parks; establishing a statutory white-tailed deer firearm hunting season; requiring the Kansas department of wildlife and parks to provide resident hunting license holders certain permits free of charge, by Committee on Agriculture and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. **HCR 5003**–

by Representatives Hawkins, Croft and V. Miller

**HCR 5003**– A CONCURRENT RESOLUTION providing for a joint session of the Senate and the House of Representatives for the purpose of hearing a message from the Governor.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Senate and the House of Representatives shall meet in joint session in Representative Hall at 6:00 p.m. on January 24, 2023, for the purpose of hearing a message from the Governor.

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

In accordance with **HCR 5003**: Speaker Hawkins appointed the following escorts:

To escort the Governor: Representatives Francis, Waymaster and Susan Ruiz

To escort the Lt. Governor: Representatives Wasinger, Laura Williams and Weigel

To escort the Supreme Court: Representatives Patton, Schreiber and Osman

To escort the Senate: Representatives Blew, Sanders and Haswood

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Child Welfare and Foster Care: **HB 2034**.

Commerce, Labor and Economic Development: **HB 2042**.

Education: **HB 2040**.

Elections: **HB 2035, HB 2037, HB 2038**.

Federal and State Affairs: **HB 2043, HB 2044, HB 2045, HB 2046**.

K-12 Education Budget: **HB 2048**.

Taxation: **HB 2036, HB 2041**.

Veterans and Military: **HB 2039**.

Water: **HB 2047**.

**COMMUNICATIONS FROM STATE OFFICERS**

From: Kansas State Department of Education; Career and Technical Education Report; Substitute for HB 2466 New Section 6.

From: The Kansas Board of Regents; pursuant to K.S.A. 74-32,402(a)(12); Post-Secondary Technical Education Authority (TEA) FY 2022 Summary Report.

From: The Kansas Board of Regents; pursuant to K.S.A. 76-717; Annual Report on Exceptions to the Minimum Admission Standards at State Universities.

From: The Kansas Board of Regents; pursuant to K.S.A. 75-7226; KAN-ED Summary Report.

From: The Kansas Board of Regents; Annual Report of Student Financial Aid.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Croft, **HR 6005**, by Reps. Hawkins, Croft and Miller, as follows, was introduced and adopted:

**HOUSE RESOLUTION HR 6005**—A RESOLUTION providing for changes in seat assignments in the House of Representatives during the 2023 legislative session.

By Representatives Hawkins, Croft and V. Miller

A RESOLUTION relating to assignment of seats of the House of Representatives.

*Be it resolved by the House of Representatives of the State of Kansas:* That the members of the 2023 regular session of the legislature shall occupy the same seats assigned pursuant to 2023 House Resolution No. 6002 with the following exceptions: Helgerson, seat 76; Weigel, seat 87.

On motion of Rep. Croft, the House adjourned pro forma until 11:00 a.m. on Thursday, January 19, 2023.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

