

Journal of the House

TENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 23, 2023, 11:00 a.m.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2126, AN ACT concerning health and healthcare; relating to medications; authorizing the over-the-counter purchase of ivermectin tablets and hydroxychloroquine tablets, by Representatives Fairchild, Barth, Droge, Goetz, Jacobs, Murphy, Poetter, Proctor, Rhiley, Roth and Schmoee.

HB 2127, AN ACT concerning the Kansas probate code; adjusting time requirements linked to notice by publication and mailing; relating to hearing dates; sales at public auction; amending K.S.A. 59-2209 and 59-2308 and repealing the existing sections, by Committee on Judiciary.

HB 2128, AN ACT concerning crimes, punishment and criminal procedure; relating to intimate partners; creating definitions in the Kansas criminal code; requiring law enforcement policies to apply to intimate partner violence; certain considerations to be made when determining bond; amending K.S.A. 22-2803 and K.S.A. 2022 Supp. 21-5111, 22-2307 and 22-2802 and repealing the existing sections, by Committee on Judiciary.

HB 2129, AN ACT concerning crimes, punishment and criminal procedure; relating to identification and detection of crimes and criminals; petitions for forensic DNA testing; requiring defendants to notify the court and request a hearing when such testing is complete; amending K.S.A. 2022 Supp. 21-2512 and repealing the existing section, by Committee on Judiciary.

HB 2130, AN ACT concerning the Kansas probate code; increasing certain dollar amounts; relating to allowance to spouse and minor children; supplemental elective share amount; transfers within two years of death; homestead or homestead allowance; payment of benefits to certain relatives; small estates affidavit for personal property; remission of court costs for small estates; exhibition of demands and allowance without a hearing; refusal to grant letters of administration; appealable orders and bond; requests for transfer from magistrate to district judge; amending K.S.A. 59-6a202, 59-6a205, 59-1507a, 59-2215 and 59-2237 and K.S.A. 2022 Supp. 59-403, 59-6a215, 59-1507b, 59-2287, 59-2401 and 59-2402a and repealing the existing sections, by Committee on Judiciary.

HB 2131, AN ACT concerning the judicial council; relating to duties and mission; amending K.S.A. 20-2203 and repealing the existing section, by Committee on Judiciary.

HB 2132, AN ACT concerning postsecondary education; relating to the Kansas promise scholarship act; expanding the eligible fields of study; establishing a maximum scholarship amount for certain private postsecondary institutions; amending K.S.A. 2022 Supp. 74-32,272, 74-32,273 and 74-32,274 and repealing the existing sections, by Committee on Appropriations.

HB 2133, AN ACT concerning financial institutions; relating to payments made with credit and debit cards; allowing a surcharge for use of such cards; amending K.S.A. 12-16,125 and 72-1176 and K.S.A. 2022 Supp. 19-122 and 75-30,100 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 16a-2-403, by Committee on Financial Institutions and Pensions.

HB 2134, AN ACT concerning sales and compensating use tax; relating to motor vehicles; providing for a deduction for calculating tax owed when selling a recently purchased vehicle that is a wrecked or damaged vehicle and purchasing a subsequent vehicle; amending K.S.A. 12-199 and repealing the existing section, by Committee on Taxation.

HB 2135, AN ACT concerning taxation; relating to income, privilege and premium tax credits; establishing a tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities, by Committee on Taxation.

HB 2136, AN ACT concerning income taxation; relating to the determination of Kansas adjusted gross income; providing a subtraction modification for sales of property subject to eminent domain; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2137, AN ACT concerning property taxation; relating to tax levy rates; authorizing taxing subdivisions to send notices required to exceed the revenue neutral rate if the county clerk fails to send such notice; providing for reimbursement of printing and postage costs; amending K.S.A. 2022 Supp. 79-2988 and 79-2989 and repealing the existing sections, by Committee on Taxation.

HB 2138, AN ACT concerning education; relating to career technical education; creating the career technical education credential and transition incentive for employment success act; providing state aid to school districts for students who obtain a credential; establishing the career technical education credential and transition incentive fund, by Committee on Education.

HB 2139, AN ACT concerning crimes, punishment and criminal procedure; relating to sports officials; creating the crime of abuse of a sports official and providing penalties therefor, by Committee on Education.

HB 2140, AN ACT concerning food assistance; increasing the age range of able-bodied adults without dependents required to complete an employment and training program to receive food assistance; amending K.S.A. 2022 Supp. 39-709 and repealing the existing section, by Committee on Welfare Reform.

HB 2141, AN ACT concerning food assistance; requiring cooperation with child support to determine food assistance eligibility for custodial and non-custodial parents; disqualifying such parents from food assistance when delinquent in child support payments; amending K.S.A. 2022 Supp. 39-709 and repealing the existing section, by Committee on Welfare Reform.

HOUSE CONCURRENT RESOLUTION No. **HCR 5005**—

By Representatives Sutton, Barth, Bergkamp, Bryce, B. Carpenter, W. Carpenter, Croft, Eplee, Essex, Fairchild, Garber, Goetz, Hill, Hoffman, Howe, Howell, Kessler, Lewis, Minnix, Moser, Murphy, Neelly, Owens, Penn, Pickert, Roth, Sanders, Schmoe, Seiwert, Smith, A., Tarwater, Thomas, Thompson, Turk, Wasinger and L. Williams.

A CONCURRENT RESOLUTION making application to the Congress of the United States for a limited national convention for the exclusive purpose of proposing an amendment to the Constitution of the United States establishing term limits for members of Congress.

WHEREAS, The framers of the Constitution of the United States of America intended that the U.S. House of Representatives and the U.S. Senate of the United States of America should be "dependent on the people alone" (James Madison, Federalist 52); and

WHEREAS, Throughout American history, this dependency has evolved from a dependency on the American people alone to a dependency on powerful special interests, through spending by third-party groups, campaigns or out-of-state donors, which have created a fundamental imbalance in our representative democracy and eroded the people's trust in government; and

WHEREAS, Americans across the political spectrum agree that elections in the United States of America should be free from the disproportional influence of special interests and fair enough that any citizen can be elected into office; and

WHEREAS, The Constitution of the State of Kansas states that "all political power is inherent in the people, and all free governments are founded on their authority, and are instituted for their equal protection and benefit" (Bill of Rights, Section 2); and

WHEREAS, Article V of the Constitution of the United States requires the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States upon the application of two-thirds of the legislatures of the several states; and

WHEREAS, The Kansas Legislature perceives the need for a convention in order to ensure balance and integrity in our elections by proposing an amendment to the Constitution of the United States that will establish term limits for members of Congress to prevent the accumulation of inordinate power in members with longevity who are able to amass high amounts of funds for reelection; and

WHEREAS, A national convention would give the American people an opportunity to come together as a nation, by discussing solutions on how to ensure the integrity of our elections and renew the American people's trust in government; and

WHEREAS, Article V of the Constitution of the United States clearly states that any amendment, whether proposed by the Congress of the United States or by a convention, must be ratified by 75% of the states, presently 38 states, ensuring that only the most

reasonable proposals with widespread support shall become part of the Constitution of the United States; and

WHEREAS, Notwithstanding any federal or Kansas law to the contrary, the State of Kansas desires its delegates to such a national convention to be composed equally of individuals currently elected to state and local offices or to be selected by election in each congressional district in Kansas, except that all individuals elected or appointed to federal office, now or in the past, shall be prohibited from serving as Kansas delegates. The State of Kansas intends to retain the ability to enforce the responsibility and conduct of its delegation within the limits herein expressed: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the people of the State of Kansas, speaking through its legislature and pursuant to Article V of the Constitution of the United States, hereby apply to the Congress of the United States to call a convention for the exclusive purpose of proposing an amendment to the Constitution of the United States to set a limit on the number of terms that a person may be elected as a member of the U.S. House of Representatives and the U.S. Senate; and

Be it further resolved: That the Secretary of State shall send enrolled copies of this resolution to the President of the United States, the Vice President of the United States in the Vice President's capacity as presiding officer of the United States Senate, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the President Pro Tempore of the United States Senate, each Senator and Representative from Kansas in the Congress of the United States, with the respectful request that the full and complete text of this resolution be printed in the Congressional Record, the presiding officers of each legislative body of each of the several states, requesting the cooperation of the states in issuing an application compelling the Congress of the United States to call a convention for proposing amendments pursuant to Article V of the Constitution of the United States.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Child Welfare and Foster Care: **HB 2112.**

Commerce, Labor and Economic Development: **HB 2123, HB 2125.**

Corrections and Juvenile Justice: **HB 2113, HB 2114, HB 2115.**

Elections: **HB 2116, HB 2117, HB 2118, HB 2119, HB 2120, HB 2122.**

Federal and State Affairs: **HB 2124.**

Judiciary: **HB 2121.**

On motion of Rep. Croft, the House adjourned until 11:00 a.m., Tuesday, January 24, 2023.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

