

Journal of the House

THIRTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 7, 2023, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Carpenter in the chair.

The roll was called with 119 members present.

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

Reps. Butler, Concannon, Martinez and Wasinger were excused on excused absence by the Speaker.

Excused later: Rep. Landwehr.

Prayer by Rep. Schlingensiepen:

In the Gospel of John, in chapter 3, verses 19 thru 21, Jesus says:

... the light has come into the world, and people loved darkness rather than light because their deeds were evil.

²⁰ *For all who do evil hate the light and do not come to the light, so that their deeds may not be exposed.*

²¹ *But those who do what is true come to the light, so that it may be clearly seen that their deeds have been done in God.*

Pray with me, please.

O Source and Goal of all creation,

How often we human beings seek ends under the cover of darkness!

When we do, it is because we know that the ends we pursue cannot and will not stand up when seen by the light of day.

This morning, | pray for us, for those of us gathered in this place because we were elected to represent those who sent us here,

because we were elected to work on behalf of those who sent us here, and for their and our well-being. Some of us may think we work

for those who contribute the most to our campaign coffers and further our political or other ambitions,

just certain that we have sufficient means to spin and communicate our dark intentions in ways our constituents will fail to see.

But your light, O God, shines in the darkness and the darkness does not comprehend it, which is to say that the darkness neither “gets it,” nor, when it does, has the ability to snuff it out.

Where our hearts are lost in darkness,
 O God, turn us toward your light, that we may be
 honest, transparent, and concerned for the well-being of all your people,
 indeed of all your creatures everywhere. Amen.

The Pledge of Allegiance was led by Rep. Oropeza.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Owens and Anderson are spread upon the Journal:

Members of the Kansas House, Representative Avery Anderson and I are pleased to present to you the Harvey County STAND Youth Organization.

What is Stand you ask? STAND Empowers teens to impact their school and community in a positive way by reducing substance use and promoting **health, hope, and connection.**

STAND's unique prevention model is rooted in prevention science and builds in protective factors that buffer kids from risk. Young people involved with STAND know that they are valuable contributors to social change and are empowered to lean into their strengths to impact the world around them. School and community leaders who work with the teens model healthy beliefs and clear standards, providing support as they harness young people's social influence. STAND leaders have the capacity to impact thousands through their positive leadership, prevention education, and student-led and designed projects that meet community needs.

STAND has grown to over 195 students in 6 school districts. In 2022 alone, STAND leaders impacted peers and communities with over 19,962 messages, and dedicated over 1,800 hours of service to substance use prevention and mental health promotion in their communities.

Joining us today are:

Prevention Program Director - Benjamin Meier

STAND Board Leaders:

1. Hudson Ferralez (Hesston)
2. Hunter Diller (Hesston)
3. Macy Wohlgemuth (Hesston)
4. Natalie Sanchez (Newton)
5. Maxwell Masem (Newton)
6. Scott Recheck (Sedgwick)
7. Josie Cochran (Sedgwick)
8. Kylie Inlow (Sedgwick)
9. Esperanza Solis (Peabody)

These youth, along with the many members in the gallery, have received many awards for their work with their peers. Here are a few:

- In 2019 – STAND receives the Kansas Prevention Education Award for their impact.
- In 2020 – STAND was Tweeted by the First Lady Melania Trump as a part of her #BEBEST campaign for their leadership and work.
- In 2022 – An individual STAND leader received the Youth Leaders In Kansas (YLINK) Outstanding Youth Leader Award.
- STAND received the Wichita Business Journal’s HealthCare Heroes Award.
- STAND received the Kansas Hospital Association’s Distinguished Health Care Advocate Award.
- In 2023 – STAND received the Governor’s Council on Fitness Organizational Health Champion Award (Honorable Mention).

Please join me in recognizing these incredible youth and their powerful message of hope and healing.

Reps. Owens and Anderson presented their guests with a framed House certificate in honor of their achievements.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2447, AN ACT concerning cities and counties; prohibiting the banning of products or services otherwise permitted under state law, by Committee on Federal and State Affairs.

HB 2448, AN ACT concerning the legislature; relating to compensation, salary and retirement benefits of members thereof; creating the legislative compensation commission; prescribing powers and duties of the commission; authorizing the commission to set rates of compensation for members of the legislature; establishing procedures for review and possible rejection of such rates of compensation by the legislature; eliminating the previously established compensation commission; repealing K.S.A. 46-3101, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker pro tem Carpenter announced the withdrawal of **HB 2225** from the Calendar and re-referral to Committee on Energy, Utilities and Telecommunications.

On motion of Rep. Croft, the House resolved into the Committee of the Whole, with Rep. Howe in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that:

HB 2144, **HB 2344** be passed.

Committee report to **HB 2083** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **HB 2077** be adopted.

Also, on motion of Rep. Curtis, **Sub HB 2077** be amended on page 1, in line 13, after "(a)" by inserting "Except as provided in subsection (b),"; after "(b)(1)" by inserting " Any entity that is connected to the Kansas criminal justice information system shall report any cybersecurity incident in accordance with rules and regulations adopted by the Kansas criminal justice information system committee pursuant to K.S.A. 74-5704, and amendments thereto.

(2) An entity that is connected to the Kansas criminal justice information system and is not connected to any other state of Kansas information system shall not be required to make the report required in subsection (a).

(3) The Kansas bureau of investigation shall notify the Kansas information security office of any significant cybersecurity incident report it receives in accordance with rules and regulations adopted pursuant to K.S.A. 74-5704, and amendments thereto, not later than 12 hours after receipt of such report.

(c)(1)";

Also on page 1, in line 21, by striking "subsection (a)" and inserting "this section"; in line 31, by striking "subsection (a)" and inserting "this section"; in line 34, by striking "disclosure" and inserting "disclosure";

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

On page 2, following line 31, by inserting:

"Sec. 3. K.S.A. 74-5704 is hereby amended to read as follows: 74-5704. The committee shall:

(a) Adopt and enforce such rules, regulations and policies as that are necessary for the establishment, maintenance, upgrading and operation of the statewide criminal justice information system; and

(b) adopt rules and regulations that require entities connected to the Kansas criminal justice information system to report any cybersecurity incident to the Kansas bureau of investigation not later than 12 hours after the discovery of such cybersecurity incident.";

On page 20, in line 3, after the first comma by inserting "74-5704,";

And by renumbering sections accordingly;

On page 1, in the title, in line 8, after the first comma by inserting "74-5704," and the **Sub HB 2077** be passed as amended.

On motion of Rep. V. Miller, **HCR 5005** be amended on page 2, in line 20, by striking "*House of Representatives*" and inserting "*Legislature*"; also in line 20, after the comma by inserting "*two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to*"

Also, roll call was demanded on motion to recommend **HCR 5005** favorably for passage.

On roll call, the vote was: Yeas 66; Nays 51; Present but not voting: 0; Absent or not voting: 8.

Yeas: Anderson, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Bryce, B. Carpenter, W. Carpenter, Clifford, Croft, Delperdang, Dodson, M., Donohoe, Droge, Eplee, Essex, Fairchild, Garber, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Howe, Howell, Howerton, Humphries, T. Johnson, Kessler, Lewis, Mason, Miller, V.,

Minnix, Moser, Murphy, Neelly, Owens, Penn, Pickert, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Schmoe, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Waggoner, Waymaster, White, Williams, K., Williams, L..

Nays: Alcala, Amyx, Awerkamp, Ballard, Borjon, Boyd, Carlin, Carmichael, Carr, Collins, Corbet, Curtis, Estes, Featherston, Francis, Gardner, Haskins, Haswood, Helgerson, Highberger, Houglan, Houser, Hoyer, Jacobs, Maughan, Melton, Meyer, Miller, D., Miller, S., Neighbor, Ohaebosim, Oropeza, Osman, Ousley, F. Patton, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Sawyer Clayton, Schlingensiepen, Schreiber, Stogsdill, Underhill, Vaughn, Weigel, Winn, Woodard, Xu, Younger.

Present but not voting: None.

Absent or not voting: Buehler, Butler, Concannon, Ellis, Landwehr, Martinez, Poetter Parshall, Wasinger.

The motion passed and **HCR 5005** be adopted as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2275** as recommended to be passed by the Committee on Commerce, Labor and Economic Development as reported in the Journal of the House on February 15, 2023, be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2388** be amended by adoption of the amendments recommended by the Committee on Commerce, Labor and Economic Development as reported in the Journal of the House on February 21, 2023, and the bill, as printed As Amended by House Committee, be further amended on page 2, in line 12, after "credential"" by inserting "or "electronic certification, license or registration""; in line 13, after "verifies" by inserting "the status of"; in line 14, by striking the semicolon and inserting "as authorized by a licensing body and is equivalent to a paper-based certification, license, registration or permit."; in line 25, after "(7)" by inserting ""Person" means a natural person.

(8)";

Also on page 2, in line 38, after the period by inserting "Any licensing body may satisfy any requirement under this section to provide a paper-based license, registration, certification or permit in addition to an electronic license, registration, certification or permit by issuing such electronic credential to the applicant in a format that permits the applicant to print a paper copy of such electronic credential. Such paper copy shall be considered a valid license, registration, certification or permit for all purposes.";

On page 6, in line 38, after "(o)" by inserting "Not later than January 1, 2025,";

On page 7, in line 4, by striking all after the period; by striking all in line 5; in line 6, by striking all before "A"; in line 7, after the period by inserting:

"(p) On or before January 1, 2025, and subject to appropriations therefore, the secretary of administration shall develop and implement a central electronic record system for the purpose of maintaining a central record of electronic credentials issued, renewed, revoked or suspended by licensing bodies or that have expired or otherwise changed in status. The secretary of administration may utilize the services or facilities of a third party for the central electronic record system. The central electronic record system shall comply with the requirements adopted by the information technology executive council pursuant to K.S.A. 75-7203, and amendments thereto. Beginning

January 1, 2025, each licensing body shall provide a report to the central electronic record system in the manner and format required by the secretary of administration indicating any issuance, renewal, revocation, suspension, expiration or other change in status of an electronic credential that has occurred prior to the report, or if a previous report has been provided, that has occurred since such previous report. Such report shall be provided each business day and include only information necessary to identify the electronic credential and to verify the issuance or status change. No charge for the establishment or maintenance of the central electronic record system shall be imposed on any licensing body or any person with a license, registration, certification or permit issued by a licensing body.";

Also on page 7, also in line 7, after "Such" by inserting "central"; in line 8, by striking "credential" and inserting "record"; in line 9, by striking "licensing body or its" and inserting "secretary or the secretary's third-party"; in line 11, after the period by inserting "Central"; in line 12, by striking "credential" and inserting "record"; following line 13, by inserting:

"(q) Nothing in this section shall be construed as prohibiting or preventing a licensing body from developing, operating, maintaining or using a separate electronic credential system of the licensing body or of a third-party in addition to making the reports to the central electronic record system required by subsection (p) or participating in a multistate compact or a reciprocal licensure, registration or certification process.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as further amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2400**, be amended by adoption of the amendments recommended by the Committee on Commerce, Labor and Economic Development as reported in the Journal of the House on February 22, 2023, and the bill, as printed As Amended by House Committee, be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2422** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2449, AN ACT concerning boards and commissions; relating to the per diem compensation of members of such boards and commissions; amending K.S.A. 75-3212 and 75-3223 and repealing the existing sections, by Committee on Appropriations.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Carpenter announced the appointment of Rep. Will Carpenter to replace Rep. Wasinger on Committee on Taxation for March 7, 2023.

Also, the appointment of Rep. Hoheisel to replace Rep. Wasinger on Committee on High Education Budget for March 7, 2023.

Also, the appointment of Rep. Proctor to replace Rep. Buehler on Committee on Health and Human Services for March 7, 2023.

REPORT ON ENROLLED RESOLUTIONS

HCR 5012 reported correctly enrolled and properly signed on March 7, 2023.

On motion of Rep. Croft, the House adjourned until 11:00 a.m., Wednesday, March 8, 2023.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

