

Journal of the House

TWENTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 15, 2024, 11:00 a.m.

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

The roll was called with 117 members present.

Reps. Donohoe, Highberger, Meyer, Schlingensiepen and Vaughn were excused on verified illness.

Reps. Howe, S. Ruiz and L. Williams were excused on excused absence by the Speaker.

Prayer by guest chaplain, Former Representative, Peggy Mast.

Father, we are so thankful for the heritage you have given the State of Kansas and the way you have blessed us so abundantly. Thank you Lord that you called early Kansans to step up boldly and be willing to fight for the conviction that all men are created equal. Some in this chamber today actually live on land where blood was spilled in order to stand against slavery.

I am very thankful for those who call you Lord and have stepped up as public servants to serve in this chamber. I ask for your guidance as they labor to make critical decisions that touch the lives of all constituents both now and in decades to come. I pray that their ambition will not be for their own personal gain, but to improve and protect fellow Kansas citizens.

I offer a special prayer today for your comfort for the victims and their families of the shooting in Kansas City yesterday. I pray for your guidance, wisdom and justice to be done for those who perpetrated such a crime.

I pray all these things in he name of our Precious Lord and Savior Jesus Christ. Amen.

The Pledge of Allegiance was led by Rep. Curtis.

INTRODUCTION OF GUESTS

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

Today I would like to recognize something near and dear to me. A program that teaches our youth, about how to be involved in local and state government. This group of future leaders behind me are from Haysville, Kansas, they are a select group of students from Campus High School, they are the Mayor's Youth Leadership Council.

With us today we have, The Youth Council Mayor Lillian Meier, Jada Arneson, Casey Meier, Kaleb Arneson, Will Black, Brent Black, Grace Black, Joscelyn Faust, Selah Harrold, Kaleigh Somerville. And one of my personal heroes, Mayor Russ Kessler. The youth council both promotes and serves at city events such as trick-or-treat street on Main Street, the Haysville Fall Festival, and Party in the 060.

I absolutely love seeing our youth interested in local and State government. Members are introduced to city, county, and state elected officials to gain a better understanding of government and to hopefully encourage the students to consider a future in service at some level of government. Youth Council Mayor Lillian Meier oversees communication within the group and runs the regular meetings of the council.

Rep. Kessler presented a framed House certificate to his guests in honor of their accomplishments.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2803, AN ACT concerning firearms; creating the Kansas gun rights preservation act; prohibiting the commandeering of state resources to enforce federal gun control against law-abiding citizens; providing civil penalties and a cause of action for violations of the act, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2802**.

Federal and State Affairs: **HB 2801**.

CHANGE OF REFERENCE

Speaker pro tem Carpenter announced the withdrawal of **HB 2723** from Committee on Welfare Reform and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2739** from Committee on Appropriations and re-referral to Committee on Financial Institutions and Pensions.

Also, the withdrawal of **H Sub for SB 96** from Committee of the Whole and referral to Committee on Commerce, Labor and Economic Development.

CONSENT CALENDAR

No objection was made to **HB 2760** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2499, AN ACT concerning traffic regulations; prohibiting the use of a mobile telephone while operating a vehicle in a school zone or a road construction zone or by individuals under 18 years of age; amending K.S.A. 8-2118 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 86; Nays 30; Present but not voting: 0; Absent or not voting: 9.

Yeas: Amyx, Anderson, Ballard, Bergquist, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, Clifford, Collins, Concannon, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Featherston, Francis, Gardner, Goddard, Haskins, Haswood, Hawkins, Helgerson, Hoheisel, Hougland, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, Lewis, Mason, Maughan, McNorton, Melton, Miller, D., Miller, V., Minnix, Moser, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Sanders, Sawyer, Clayton, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Thomas, Thompson, Titus, Underhill, Wasinger, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: Alcala, Awerkamp, Barth, Bergkamp, Blew, W. Carpenter, Carr, Corbet, Fairchild, Garber, Goetz, Hill, Hoffman, Houser, Jacobs, Martinez, McDonald, Miller, S., Murphy, Owens, Poetter, Rhiley, Ruiz, L., Schmoe, Sutton, Tarwater, Turk, Turner, Waggoner, Waymaster.

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Howe, Landwehr, Meyer, Ruiz, S., Schlingensiepen, Vaughn, Williams, L..

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I voted "No" today on **HB 2499** prohibiting the use of a mobile telephone while operating a vehicle by individuals less than 18 years of age. Why not select 21 the age to smoke or perhaps age 70 years old. I understand the safety concerns, but this should not take away the rights of drivers to use common sense. Why not ban all mobile phones in vehicles in the State of Kansas? If there is a concern, then construction zones or school zones can post requests to not use cell phones in that area.

- BILL RHILEY

HB 2561, AN ACT concerning financial institutions; relating to credit unions; authorizing a domestic credit union to do business outside the state; providing civil penalties for certain violations; allowing informal agreements with the credit union administrator; eliminating the requirement to submit duplicate certificates of organization and bylaws; establishing appeals procedures for suspension of credit and supervisory committee members; requiring members of the merging credit union to approve a merger of credit unions; amending K.S.A. 17-2201, 17-2208 and 17-2228 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 3; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang,

Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Hougland, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Ruiz, L., Sanders, Sawyer, Clayton, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: Garber, Houser, Rhiley.

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Howe, Meyer, Ruiz, S., Schlingensiepen, Vaughn, Williams, L..

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I voted "No" today on **HB 2561** authorizing Kansas chartered credit unions to operate locations outside the State of Kansas. If the 26 State Chartered Kansas Credit Unions want to operate in another state, they can change their Charter to a Federal Credit Union. Also, I do not agree that the only the members of a credit union that is being merged into another credit union should vote. I think members of both credit unions should approve the merger. – BILL RHILEY

Rep. V. Miller requested to be excused from voting on **HB 2588** under House Rule 2508(b). Having received the approval of a 2/3 majority of members present, Rep. V. Miller was excused from voting.

HB 2588, AN ACT concerning electric public utilities; relating to net metering; increasing the system-wide capacity limit for facilities subject to net metering; requiring such facilities to be appropriately sized based on the customer's expected load; establishing requirements for exporting power to a utility from a facility subject to net metering; amending K.S.A. 66-1264, 66-1265, 66-1266 and 66-1267 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 1; Absent or not voting: 8.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Hougland, Houser, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, S., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Sanders, Sawyer, Clayton, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: None.

Present but not voting: Miller, V..

Absent or not voting: Donohoe, Highberger, Howe, Meyer, Ruiz, S., Schlingensiepen, Vaughn, Williams, L..

The bill passed.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2498**, **HB 2500**, **HB 2507** be passed.

Committee report to **HB 2481** be adopted; and the bill be passed as amended.

Committee report to **HB 2501** be adopted; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Croft pursuant to House Rule 2311, **HB 2481**, **HB 2498**, **HB 2500**, **HB 2501** and **HB 2507** were advanced to Final Action on Bills and Concurrent Resolutions.

HB 2481, AN ACT concerning roads and highways; designating portions of K-96 highway as the PFC Henry Lee Fisher memorial highway and the 96th Infantry Division memorial highway; amending K.S.A. 68-1044 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Hougland, Houser, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neely, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Sanders, Sawyer, Clayton, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: None.

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Howe, Meyer, Ruiz, S., Schlingensiepen, Vaughn, Williams, L..

The bill passed, as amended.

HB 2498, AN ACT concerning motor vehicles; relating to license plates; providing for the first city of Kansas distinctive license plate, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 9; Present but not voting: 0; Absent or not

voting: 8.

Yeas: Alcalá, Amyx, Anderson, Averkamp, Ballard, Barth, Bergquist, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Hougland, Houser, Howell, Howerton, Hoyer, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Osman, Ousley, Owens, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Sawyer, Clayton, Schmoë, Schreiber, Seiwert, Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: Bergkamp, Blew, Carmichael, Haswood, Martinez, Oropeza, Poetter, Ruiz, L., Smith, A..

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Howe, Meyer, Ruiz, S., Schlingensiepen, Vaughn, Williams, L..

The bill passed.

HB 2500, AN ACT concerning motor vehicles; relating to license plates; providing for the delta waterfowl distinctive license plate, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 12; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcalá, Amyx, Anderson, Ballard, Barth, Bergquist, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Hougland, Houser, Howell, Howerton, Hoyer, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Sawyer, Clayton, Schmoë, Schreiber, Seiwert, Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Weigel, White, Williams, K., Winn, Xu, Younger.

Nays: Averkamp, Bergkamp, Blew, Carmichael, Carr, Martinez, Miller, S., Oropeza, Ruiz, L., Smith, A., Waymaster, Woodard.

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Howe, Meyer, Ruiz, S., Schlingensiepen, Vaughn, Williams, L..

The bill passed.

HB 2507, AN ACT concerning roads and highways; designating bridge No. 160-96-293.72 in Sumner county as the SrA Derek Scott Martin memorial bridge, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Houglan, Houser, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Sanders, Sawyer, Clayton, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: None.

Present but not voting: None.

Absent or not voting: Donohoe, Highberger, Howe, Meyer, Ruiz, S., Schlingensiepen, Vaughn, Williams, L..

The bill passed.

HB 2501, AN ACT designating the Atchison, Topeka and Santa Fe #3415 as the official state steam locomotive and the Abilene & Smoky Valley Railroad as the official state heritage railroad, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 7; Present but not voting: 0; Absent or not voting: 8.

Yeas: Amyx, Anderson, Ballard, Barth, Bergquist, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, Carpenter, B., Carpenter, W., Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Houglan, Houser, Howell, Howerton, Hoye, Humphries, Jacobs, Johnson, Kessler, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter Parshall, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Sanders, Sawyer, Sawyer Clayton, Schmoie, Schreiber, Seiwert, Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: Alcalá, Awerkamp, Bergkamp, Blew, Landwehr, Smith, A., Waymaster.

Present but not voting: none.

Absent or not voting: Donohoe, Highberger, Howe, Meyer, Ruiz, S., Schlingensiepen, Vaughn, Williams, L.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2543** be passed.

Committee on **Agriculture and Natural Resources Budget** recommends **HB 2671** be amended on page 2, following line 32, by inserting:

"Nonresident 16 or more years of age: maximum \$125"; in line 33, by striking all after the stricken material; in line 34, by striking all before the colon and inserting "under 16 years of age"; also in line 34, by striking "\$25" and inserting "\$75";

On page 4, in line 2, after "who" by inserting "enters the deer permit draw and"; also in line 2, by striking "hunting" and inserting "white-tailed deer"; in line 3, by striking "complete"; in line 5, after "(a)" by inserting ", except that the department may retain an application fee of not to exceed \$30";

On page 1, in the title, in line 1, after "to" by inserting "nonresident"; also in line 1, by striking "licenses" and inserting "license fees"; by striking all in lines 2 and 3; in line 4, after "who" by inserting "enters the deer permit draw and"; in line 5, by striking the first "hunting" and inserting "white-tailed deer"; and the bill be passed as amended.

Committee on **Appropriations** recommends **SB 307** be amended on page 1, in line 7, by striking "2022" and inserting "2023"; in line 8, by striking "2022" and inserting "2023";

On page 2, following line 3, by inserting:

"Sec. 2. K.S.A. 2023 Supp. 75-778 is hereby amended to read as follows: 75-778.

(a) There is hereby created under the jurisdiction of the attorney general the Kansas fights addiction grant review board. At least one member of such board shall reside in each of the state's congressional districts. Each member shall serve at the pleasure of the appointing authority. Such board shall be composed of 11 members who have expertise in the prevention, reduction, treatment or mitigation of the effects of substance abuse and addiction, as follows:

(1) One member appointed by the attorney general to be designated as chairperson of the board;

(2) one member appointed by the governor;

(3) one member appointed by the president of the senate;

(4) one member appointed by the speaker of the house of representatives;

(5) one member appointed by the minority leader of the senate;

(6) one member appointed by the minority leader of the house of representatives;

(7) one member appointed by the league of Kansas municipalities;

(8) one member appointed by the Kansas association of counties;

(9) one member appointed by the Kansas county and district attorneys association;

(10) one member appointed by the association of community mental health centers of Kansas; and

(11) one member appointed by the behavioral sciences regulatory board.

(b) The board shall receive and consider applications for grants of money from the Kansas fights addiction fund. Not fewer than six members of the board voting in the affirmative shall be necessary to approve each grant, and each member shall have one vote. The board may adopt rules and procedures for its operation, conduct hearings, receive testimony and gather information to assist in its powers, duties and functions under this act.

(c) In awarding grants, the board:

(1) Shall take care to support services throughout the state and shall ensure not less than $\frac{1}{8}$ of the total amount of moneys granted each calendar year shall be for services in each of the state's congressional districts;

(2) shall take into account science and data-driven substance abuse prevention reduction, treatment or mitigation strategies;

(3) shall consult with the Kansas prescription drug and opioid advisory committee, the department of health and environment, the insurance department and other appropriate public and private entities to ensure coordination of drug abuse and addiction prevention and mitigation efforts throughout the state;

(4) shall approve grants only in compliance with the requirements of K.S.A. 2023 Supp. 75-777, and amendments thereto;

(5) shall consider the sustainability of programming after grant funds are exhausted;

(6) may establish conditions for the award of grants and require assurance and subsequent review to ensure such conditions are satisfied;

(7) may give preference to qualified applicants that are not otherwise seeking or receiving funds from opioid litigation; and

(8) may give preference to grants that expand availability of certified drug abuse treatment programs authorized by K.S.A. 21-6824, and amendments thereto.

(d) (1) The attorney general shall provide administrative support for the board and shall administer, monitor and assure compliance with conditions on grants awarded.

(2) To carry out the duties and responsibilities under paragraph (1), the attorney general may enter into an agreement with the sunflower foundation to provide such administration, monitoring and assurance of compliance. Such agreement may:

(A) Provide for the attorney general to periodically transfer moneys from the Kansas fights addiction fund to the sunflower foundation. The sunflower administration shall administer any such moneys in a manner consistent with this act and with grants approved by the board. If an agreement authorized by this subsection is in effect, the attorney general may transfer moneys from the Kansas fights addiction fund to the sunflower foundation pursuant to such agreement;

(B) provide for a reasonable fee or other compensation for the sunflower foundation for services related to this act;

(C) make provision for the use of any earnings on moneys transferred to the sunflower foundation pursuant to this act and invested by the sunflower foundation; and

(D) contain other provisions as may be reasonably necessary and appropriate to carry out the provisions of this act.

(3) The attorney general may take any action necessary to ensure the greatest possible recovery from opioid litigation and to seek funds for the Kansas fights addiction fund and the municipalities fight addiction fund.

(e) ~~Members of the board shall not receive compensation or, except that members shall be paid subsistence allowances, mileage and other expenses for serving on as provided in K.S.A. 75-3223, and amendments thereto, when attending meetings of the board after January 8, 2024, if such members are not being reimbursed for such expenses by their appointing authority, employer or any other entity.~~ Each member shall file a statement of substantial interest as provided in K.S.A. 46-248 through 46-252, and amendments thereto. No member shall participate in the consideration of any grant application for which such member has a conflict of interest.";

Also on page 2, in line 4, by striking "2022" and inserting "2023"; also in line 4, by striking "is" and inserting "and 75-778 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the semicolon; in line 2, by striking "definitions;"; in line 3, after the semicolon by inserting "authorizing members

of the Kansas fights addiction grant review board to be paid subsistence allowances, mileage and other expenses when attending meetings of the board after January 8, 2024;"; also in line 3, by striking "2022" and inserting "2023"; also in line 3, after "75-776" by inserting "and 75-778"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2598** be amended by substituting with a new bill to be designated as "Substitute for HOUSE BILL NO. 2598," as follows:

"Substitute for HOUSE BILL NO. 2598

By Committee on Commerce, Labor and Economic Development

"AN ACT concerning real estate transactions; authorizing the Kansas real estate commission to issue cease and desist orders; prohibiting dealing in assignable contracts for the purchase or sale of or options on real estate or improvements thereon for certain residential housing; regulating contract for deed transactions; providing that such prohibited dealing in assignable contracts and certain deceptive actions pertaining to such contract for deed transactions are violations of the consumer protection act; amending K.S.A. 58-3065 and K.S.A. 2023 Supp. 58-3062 and repealing the existing sections.";

And the substitute bill be passed.

(**Sub Bill for HB 2598** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2698** be passed.

Committee on **Energy, Utilities and Telecommunications** recommends **HB 2590, HB 2591** be passed.

Committee on **Health and Human Services** recommends **HB 2751** be amended on page 1, following line 33, by inserting:

"Sec. 2. K.S.A. 39-2009 is hereby amended to read as follows: 39-2009. (a) As used in this section:

(1) "Applicant" means an individual who applies for employment with a center, facility, hospital or a provider of services or applies to work for an employment agency or as an independent contractor that provides staff to a center, facility, hospital or a provider of services.

(2) "Completion of the sentence" means the last day of the entire term of incarceration imposed by a sentence, including any term that is deferred, suspended or subject to parole, probation, diversion, community corrections, fines, fees, restitution or any other imposed sentencing requirements.

(3) "Department" means the Kansas department for aging and disability services.

(4) "Direct access" means work that involves an actual or reasonable expectation of one-on-one interaction with a consumer or a consumer's property, personally identifiable information, medical records, treatment information or financial information.

(5) "Direct supervision" means that a supervisor is physically present within an immediate distance to a supervisee and is available to provide constant direction, feedback and assistance to a client and the supervisee.

(6) "Employment agency" means an organization or entity that has a contracted relationship with a center, hospital, facility or provider of services to provide staff with direct access to consumers.

(7) "Independent contractor" means an organization, entity, agency or individual

that provides contracted workers or services to a center, facility, hospital or provider of services.

(8) "Day service provider" means a provider of day services for development in self-help, recreational skills and work skills to individuals on the home and community-based services intellectual and developmental disability program waiver licensed by the department or a separate and distinct division of an organization, that provides day services for development in self-help, recreational skills and work skills to individuals on the home and community-based services intellectual and developmental disability program waiver licensed by the department. "Day services provider" also means the provision of pre-vocational services that are aimed at preparing a home and community-based services intellectual and developmental disability waiver participant for paid or unpaid employment but are not job-task oriented, including teaching concepts related to compliance, attendance, task completion, problem solving and safety, as provided in 42 C.F.R. § 440.180.

(b) (1) No licensee shall knowingly operate a center, facility, hospital or be a provider of services if any person who works in the center, facility, hospital or for a provider of services has adverse findings on any state or national registry, as defined in rules and regulations adopted by the secretary for aging and disability services, or has been convicted of or has been adjudicated a juvenile offender because of having ~~committing~~ committed an act ~~that which~~, if ~~done~~ committed by an adult, would constitute the commission of capital murder, pursuant to K.S.A. 21-3439, prior to its repeal, or K.S.A. 21-5401, and amendments thereto, first degree murder, pursuant to K.S.A. 21-3401, prior to its repeal, or K.S.A. 21-5402, and amendments thereto, second degree murder, pursuant to K.S.A. 21-3402(a), prior to its repeal, or K.S.A. 21-5403(a), and amendments thereto, voluntary manslaughter, pursuant to K.S.A. 21-3403, prior to its repeal, or K.S.A. 21-5404, and amendments thereto, assisting suicide, pursuant to K.S.A. 21-3406, prior to its repeal, or K.S.A. 21-5407, and amendments thereto, mistreatment of a dependent adult or mistreatment of an elder person, pursuant to K.S.A. 21-3437, prior to its repeal, or K.S.A. 21-5417, and amendments thereto, human trafficking, pursuant to K.S.A. 21-3446, prior to its repeal, or K.S.A. 21-5426(a), and amendments thereto, aggravated human trafficking, pursuant to K.S.A. 21-3447, prior to its repeal, or K.S.A. 21-5426(b), and amendments thereto, rape, pursuant to K.S.A. 21-3502, prior to its repeal, or K.S.A. 21-5503, and amendments thereto, indecent liberties with a child, pursuant to K.S.A. 21-3503, prior to its repeal, or K.S.A. 21-5506(a), and amendments thereto, aggravated indecent liberties with a child, pursuant to K.S.A. 21-3504, prior to its repeal, or K.S.A. 21-5506(b), and amendments thereto, aggravated criminal sodomy, pursuant to K.S.A. 21-3506, prior to its repeal, or K.S.A. 21-5504(b), and amendments thereto, indecent solicitation of a child, pursuant to K.S.A. 21-3510, prior to its repeal, or K.S.A. 21-5508(a), and amendments thereto, aggravated indecent solicitation of a child, pursuant to K.S.A. 21-3511, prior to its repeal, or K.S.A. 21-5508(b), and amendments thereto, sexual exploitation of a child, pursuant to K.S.A. 21-3516, prior to its repeal, or K.S.A. 21-5510, and amendments thereto, sexual battery, pursuant to K.S.A. 21-3517, prior to its repeal, or K.S.A. 21-5505(a), and amendments thereto, aggravated sexual battery, pursuant to K.S.A. 21-3518, prior to its repeal, or K.S.A. 21-5505(b), and amendments thereto, commercial sexual exploitation of a child, pursuant to K.S.A. 21-6422, and amendments thereto, an attempt to commit any of the crimes listed in this paragraph, pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A.

21-5301, and amendments thereto, a conspiracy to commit any of the crimes listed in this paragraph, pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 21-5302, and amendments thereto, or criminal solicitation of any of the crimes listed in this paragraph, pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 21-5303, and amendments thereto, or similar statutes of other states or the federal government.

(2)(A) A licensee operating a center, facility or hospital or as a provider of services may employ an applicant who has been convicted of any of the following if six or more years have elapsed since completion of the sentence imposed or the applicant was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; if six or more years have elapsed since a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; or if the applicant has been granted a waiver of such six-year disqualification: A felony conviction for a crime that is described in: ~~(A)(i)~~ Article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, except those crimes listed in paragraph (1); ~~(B)(ii)~~ article 35 or 36 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, prior to their repeal, or article 55 or 56 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 21-6420, and amendments thereto, except those crimes listed in paragraph (1); ~~(C)(iii)~~ K.S.A. 21-3701, prior to its repeal, or K.S.A. 21-5801, and amendments thereto; ~~(D)(iv)~~ an attempt to commit any of the crimes listed in this paragraph pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 21-5301, and amendments thereto; ~~(E)(v)~~ a conspiracy to commit any of the crimes listed in this paragraph pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 21-5302, and amendments thereto; ~~(F)(vi)~~ criminal solicitation of any of the crimes listed in this paragraph pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 21-5303, and amendments thereto; or ~~(G)(vii)~~ similar statutes of other states or the federal government.

(B) An individual who has been disqualified for employment due to conviction or adjudication of an offense listed in this paragraph ~~(2)~~ may apply to the secretary for aging and disability services for a waiver of such disqualification if five years have elapsed since completion of the sentence for such conviction. The secretary shall adopt rules and regulations establishing the waiver process and the criteria to be utilized by the secretary in evaluating any such waiver request.

(3)(A) A licensee operating a center, facility, hospital or as a provider of services may employ an applicant who has been convicted of any of the following if six or more years have elapsed since completion of the sentence imposed or the applicant was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; if six or more years have elapsed since the applicant has been finally discharged from the custody of the commissioner of juvenile justice or from probation or has been adjudicated a juvenile offender, whichever time is longer; or if the applicant has been granted a waiver of such six-year disqualification:

(i) Interference with custody of a committed person pursuant to K.S.A. 21-3423, prior to its repeal, or K.S.A. 21-5410, and amendments thereto; mistreatment of a confined person pursuant to K.S.A. 21-3425, prior to its repeal, or K.S.A. 21-5416, and amendments thereto; unlawful administration of a substance pursuant to K.S.A. 21-

3445, prior to its repeal, or K.S.A. 21-5425, and amendments thereto; violation of a protective order pursuant to K.S.A. 21-3843, prior to its repeal, or K.S.A. 21-5924; promoting obscenity or promoting obscenity to minors pursuant to K.S.A. 21-4301 or 21-4301a, prior to their repeal, or K.S.A. 21-6401, and amendments thereto; or cruelty to animals pursuant to K.S.A. 21-3727, 21-4310 or 21-4311, prior to their repeal, or K.S.A. 21-6412, and amendments thereto; or

(ii) any felony conviction of: Unlawful manufacture of a controlled substance pursuant to K.S.A. 2010 Supp. 21-36a03, prior to its repeal, or K.S.A. 21-5703, and amendments thereto; unlawful cultivation or distribution of a controlled substance pursuant to K.S.A. 2010 Supp. 21-36a05, prior to its repeal, or K.S.A. 21-5705, and amendments thereto; unlawful manufacture, distribution, cultivation or possession of a controlled substance using a communication facility pursuant to K.S.A. 2010 Supp. 21-36a07, prior to its repeal, or K.S.A. 21-5707, and amendments thereto; unlawful obtainment or sale of a prescription-only drug pursuant to K.S.A. 2010 Supp. 21-36a08, prior to its repeal, or K.S.A. 21-5708, and amendments thereto; unlawful distribution of drug precursors or drug paraphernalia pursuant to K.S.A. 2010 Supp. 21-36a10, prior to its repeal, or K.S.A. 21-5710, and amendments thereto; unlawful distribution or possession of a simulated controlled substance pursuant to K.S.A. 2010 Supp. 21-36a13, prior to its repeal, or K.S.A. 21-5713, and amendments thereto; forgery pursuant to K.S.A. 21-3710, prior to its repeal, or K.S.A. 21-5823, and amendments thereto; criminal use of a financial card pursuant to K.S.A. 21-3729, prior to its repeal, or K.S.A. 21-5828, and amendments thereto; any violation of the Kansas medicaid fraud control act pursuant to K.S.A. 21-3844 et seq., prior to their repeal, or K.S.A. 21-5925 et seq., and amendments thereto; making a false claim, statement or representation to the medicaid program pursuant to K.S.A. 21-3846, prior to its repeal, or K.S.A. 21-5927, and amendments thereto; unlawful acts relating to the medicaid program pursuant to K.S.A. 21-3847, prior to its repeal, or K.S.A. 21-5928, and amendments thereto; obstruction of a medicaid fraud investigation pursuant to K.S.A. 21-3856, prior to its repeal, or K.S.A. 21-5929, and amendments thereto; identity theft or identity fraud pursuant to K.S.A. 2010 Supp. 21-4018, prior to its repeal, or K.S.A. 21-6107, and amendments thereto; or social welfare fraud pursuant to K.S.A. 39-720, and amendments thereto. The provisions of this paragraph shall not apply to any person who is employed by a center, facility, hospital or provider of services on or before July 1, 2018, and is continuously employed by the same center, facility, hospital or provider of services or to any person during or upon successful completion of a diversion agreement.

(B) An individual who has been disqualified for employment due to conviction or adjudication of an offense listed in this paragraph ~~(3)~~ may apply to the secretary for aging and disability services for a waiver of such disqualification if five years have elapsed since completion of the sentence for such conviction. The secretary shall adopt rules and regulations establishing the waiver process and criteria to be considered by the secretary in evaluating any such waiver request.

(c) No licensee shall operate a center, facility, hospital or be a provider of services if such person has been found to be an adult with an impairment in need of a guardian or a conservator, or both, as provided in the act for obtaining a guardian or conservator, or both. The provisions of this subsection shall not apply to an individual who, as a minor, was found to be in need of a guardian or conservator for reasons other than

impairment.

(d) (1) The Kansas bureau of investigation shall release all records of adult and juvenile convictions and adjudications and adult and juvenile convictions and adjudications of any other state or country concerning persons working in a center, facility, hospital or for a provider of services to the secretary for aging and disability services. The Kansas bureau of investigation may charge to the Kansas department for aging and disability services a reasonable fee for providing criminal history record information under this subsection.

(2) The department shall require an applicant to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints shall be used to identify the individual and to determine whether the individual has a record of criminal history in this state or other jurisdiction. The department is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The department may use the information obtained from fingerprinting and the criminal history record check for purposes of verifying the identification of the person and for making an official determination of the qualifications and fitness of the person to work in the center, facility, hospital or for a provider of services.

(3) An applicant for employment in ~~an~~ a center, facility, hospital or for a provider of services shall have 20 calendar days after receipt of authorization to submit the applicant's fingerprints through an authorized collection site in order to be eligible for provisional employment or the applicant's application shall be deemed withdrawn.

(4) (A) The current or prospective employer of an applicant shall pay a fee not to exceed \$19 of the total cost for criminal history record information to the department for each applicant submitted.

(B) The prospective employer, employee or independent contractor shall pay the fingerprint collection fee at the time of fingerprinting to the authorized collection site.

(5) If an applicant disputes the contents of a criminal history record check, then the applicant may file an appeal with the Kansas bureau of investigation.

(6) Individuals who have been disqualified for employment by reason of their criminal history records and who have met the requirements of this subsection may apply for a waiver with the department within 30 days of the receipt of the notice of employment prohibition.

(7) The department shall adopt rules and regulations specifying the criteria and procedure for issuing a waiver of the employment prohibition. The secretary shall consider the following criteria when rendering a decision on such a waiver request: Passage of time; extenuating circumstances; demonstration of rehabilitation; and relevancy of the criminal history record information to the position for which the applicant is applying. Any employment prohibition issued shall remain in effect unless or until a waiver is granted.

~~(d)~~(c) The secretary shall provide each licensee requesting information under this section with a pass or fail determination after review of any criminal history record information in writing and within three working days of receipt of such information from the Kansas bureau of investigation or the federal bureau of investigation.

~~(e)~~(f) Any licensee or member of the staff who receives information concerning the fitness or unfitness of any person shall keep such information confidential, except that the staff person may disclose such information to the person who is the subject of the

request for information. A violation of this subsection shall be an unclassified misdemeanor punishable by a fine of \$100.

~~(f)~~(g) For the purpose of complying with this section, the licensee operating a center, facility, hospital or a provider of services shall request from the Kansas department for aging and disability services an eligibility determination regarding adult and juvenile convictions and adjudications. For the purpose of complying with this section, the licensee operating a center, facility, hospital or a provider of services shall receive from any employment agency or independent contractor that provides employees to work in the center, facility, hospital or for the provider of services written certification that such employees are not prohibited from working in the center, facility, hospital or for the provider of services under this section. For the purpose of complying with this section, a licensee may hire an applicant for provisional employment on a one-time basis of 60 calendar days pending the results from the Kansas department for aging and disability services of an eligibility determination under this subsection. A provisional employee may only be supervised by an employee who has completed all training required by federal regulations, department rules and regulations and the center's, facility's, hospital's or provider of services' policies and procedures. No licensee, its contractors or employees, shall be liable for civil damages to any person refused employment or discharged from employment by reason of such licensee's compliance with the provisions of this section if such licensee acts in good faith to comply with this section.

~~(g)~~(h) The licensee operating a center, facility, hospital or a provider of services shall not require an applicant under this section to be fingerprinted, if the applicant has been the subject of a criminal history record check under this act within one year prior to the application for employment with the licensee operating a center, facility, hospital or a provider of services and has maintained a record of continuous employment, with no lapse of employment of over 90 days in any center, facility, hospital or a provider of services covered by this act.";

On page 4, in line 19, after "39-2004" by inserting "39-2009,";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after the semicolon by inserting "adding a definition of day service provider;"; in line 6, after "39-2004" by inserting "39-2009,"; and the bill be passed as amended.

Committee on **Higher Education Budget** recommends **HB 2705** be passed.

Committee on **Judiciary** recommends **HB 2675** be passed.

Committee on **Transportation** recommends **HB 2679**, **HB 2682** be passed.

Committee on **Transportation** recommends **HB 2523** be amended on page 1, in line 15, by striking "16" and inserting "15"; in line 21, after the stricken material by inserting "or"; in line 22, by striking all after "(C)"; by striking all in line 23; in line 24, by striking "(D)"; following line 27, by inserting:

"(2) A farm permit shall entitle the licensee who is at least 15 years of age but less than 16 years of age to operate the appropriate motor vehicles at any time:

(A) While going to or from or in connection with any farm job, employment or other farm-related work;

(B) on days while school is in session, over the most direct and accessible route between the licensee's residence and school of enrollment for the purpose of school attendance;

(C) from 6 a.m. through 9 p.m. while going directly to or from any religious activity held by a religious organization; or

(D) when the licensee is operating a passenger car and accompanied by an adult who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver.";

Also on page 1, also in line 28, by striking "(2)" and inserting "(3)";

Also on page 1, in the title, in line 2, by striking "14" and inserting "15"; and the bill be passed as amended.

Committee on **Veterans and Military** recommends **HB 2759** be amended on page 9, in line 26, after "navy" by inserting a comma; and the bill be passed as amended.

Committee on **Water** recommends **HB 2678** be amended on page 1, following line 8, by inserting:

"New Section 1. (a) Notwithstanding the provisions of K.S.A. 82a-767, and amendments thereto, concerning the length of time for conducting water bank evaluations, in lieu of the next regularly scheduled five-year evaluation of the central Kansas water bank, the director of the Kansas water office shall, in consultation with the chief engineer, develop a request for proposal and select an independent consultant to conduct the evaluation, as described in K.S.A. 82a-767, and amendments thereto, of the operations of the central Kansas water bank. Such evaluation shall include specific findings regarding the consumptive use and potential impairment impacts involved with the use of safe deposit accounts in the Rattlesnake Creek hydrologic unit. Such evaluation shall be initiated before July 1, 2025.

(b) The evaluation required by this section shall be funded from existing resources of the Kansas department of agriculture.

(c) This section shall be a part of and supplemental to the Kansas water banking act.

(d) This section shall expire on July 1, 2027.";

On page 3, following line 5, by inserting:

"Sec. 3. K.S.A. 82a-765 is hereby amended to read as follows: 82a-765. (a) Before a water bank is authorized to operate in the state, the bank's charter ~~must~~ shall be approved by the chief engineer. Prior to approval, the body wishing to charter the bank shall submit to the chief engineer the proposed bank charter and any other information required by rules and regulations of the chief engineer to determine whether the bank shall be chartered to operate in the state.

(b) The chief engineer shall approve the charter of a water bank only if the chief engineer determines that:

(1) The charter ensures that the operations and policies of the bank will be consistent with the provisions of this act, the state water plan and all applicable statutes, rules and regulations, findings and orders of the chief engineer, groundwater management district policies and water assurance district operations plans;

(2) there is sufficient participation by water right holders and water users to make the operations of the bank practical and feasible;

(3) the governing body of the bank has at least five members and is reasonably representative of public and private interests in water within the bank boundary;

(4) the bank would not lease or accept for placement in a safe deposit account water from the same hydrologic unit as another chartered bank or accept for deposit a water

right that authorizes diversion of water from the same hydrologic unit as another chartered water bank;

(5) the charter ensures that, for each calendar year, the aggregate amount of all bank deposits, determined by multiplying the amount of each water right deposited by the length of time of the deposit and then adding together the resulting amounts for all deposits, will equal or exceed the sum of the aggregate amount of water leased by the bank, determined by multiplying the amount of each lease by the length of time of the lease and then adding together the resulting amounts for all leases, plus the aggregate conservation element of all leases, determined by multiplying the conservation element of each lease by the length of the lease and then adding together the resulting amounts for all leases;

(6) the charter ensures that the operations of the bank will not result in impairment of existing water rights or an increase in depletion of severely depleted groundwater aquifers or stream courses;

(7) the charter ensures that the operations of the bank will result in a savings of 10% or more in the total amount of groundwater consumed for a representative past period pursuant to water rights deposited in the bank, excluding groundwater located in an intensive groundwater use control area where corrective control provisions have reduced the allocation of groundwater to less than the quantity previously authorized by water rights in the area;

(8) the charter provides a procedure for resolution of complaints by bank participants and others impacted by the bank policies, practices and operations;

(9) the charter ensures that the determination of the portion of a water right that is bankable shall be subject to the following:

(A) The determination shall be primarily based on a representative period of average water consumption for the hydrologic unit from which water is authorized to be diverted under the water right; and

(B) the method of determination shall not penalize past implementation of water conservation practices;

(10) the charter ensures that the total amount of groundwater leased each year from each hydrologic unit does not exceed 90% of the historic average annual amount collectively diverted pursuant to all deposited water rights or portions of water rights from such unit for a representative past period; and

(11) the charter provides a procedure for the dissolution of the bank, specifically stating how the remaining deposits and safe deposit accounts will be distributed.

(c) A water bank shall be chartered for an initial period of not more than seven years, at which time, the bank shall be subject to review in accordance with K.S.A. 82a-767, and amendments thereto, to determine whether the initial charter shall lapse or ~~the bank shall be chartered be extended. A water bank's charter shall not be extended for more than seven years. For any water bank charter previously extended permanently or for a period of more than seven years after the review required by K.S.A. 82a-767, and amendments thereto, the chief engineer shall determine whether the bank's charter shall lapse or be extended for a period of not more than seven years at the water bank's next evaluation in accordance with the recommendations of the evaluation team.~~

(d) Any amendment to the charter of a water bank ~~must~~ shall be approved by the chief engineer prior to adoption of the amendment.";

Also on page 3, in line 6, by striking "is" and inserting "and 82a-765 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after the semicolon by inserting "requiring an evaluation by an independent consultant on the central Kansas water bank before July 1, 2025; establishing a maximum length for an extension of a water bank charter;"; in line 6, after "763" by inserting "and 82a-765"; also in line 6, by striking "section" and inserting "sections"; and the bill be passed as amended.

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 2804, AN ACT concerning income taxation; relating to credits; providing for the preceptor income tax incentive act; establishing a credit for physicians and physician assistants that serve as a community-based faculty preceptor by providing personalized instruction, training and supervision for students, by Committee on Taxation.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Carpenter announced the appointment of Rep. Buehler to replace Rep. Moser on Committee on Agriculture and Natural Resources Budget February 16, 2024.

Also, the appointment of Rep. Roth to replace Rep. Eplee on Committee on Health and Human Services February 19, 2024.

Also, the appointment of Rep. Awerkamp to replace Rep. L. Williams on Committee on Commerce, Labor and Economic Development on February 15, 2024.

Also, the appointment of Rep. B. Carpeneter to replace Rep. Donohoe on Committee on Social Services Budget February 20, 2024.

Also, the appointment of Rep. Woodard to replace Rep. S. Ruiz on Committee on Health and Human Services February 15, 2024.

Also, the appointment of Rep. Haswood to replace Rep. S. Ruiz as the ranking member on Committee on Health and Human Services February 15, 2024.

Also, the appointment of Rep. V. Miller to replace Rep. Highberger on Committee on Corrections February 15, 2024.

Also, the appointment of Rep. Winn to replace Rep. Schlinginsiepen on Committee on Corrections on February 15, 2024.

Also, the appointment of Rep. D. Miller to replace Rep. Alcalá on Committee on Agriculture and Natural Services Budget February 15, 2024.

REPORT ON ENROLLED RESOLUTIONS

HR 6037 reported correctly enrolled and properly signed on February 14, 2024.

HR 6035, HR 6036, HR 6038 reported correctly enrolled and properly signed on February 15, 2024.

On motion of Rep. Croft the House adjourned pro forma until 8:30 a.m. on Friday, February 16, 2024.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*