

Journal of the House

SIXTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, April 25, 2024, 11:00 a.m.

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

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2846**.

CHANGE OF REFERENCE

Speaker Hawkins announced the withdrawal of **HB 2492**, **HB 2737** from Committee on Federal and State Affairs and re-referral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2556** from Committee on Health and Human Services and re-referral to Committee on Interstate Cooperation.

Also, the withdrawal of **HB 2181** from Committee on Health and Human Services and re-referral to Committee on Federal and State Affairs.

Also, the withdrawal of **HB 2586** from Committee on Interstate Cooperation and re-referral to Committee on Calendar and Printing.

Also, the withdrawal of **HB 2415** from Committee on Interstate Cooperation and referral to Committee on Calendar and Printing.

MESSAGES FROM THE GOVERNOR

HB 2353, HB 2358, HB 2453, HB 2477, HB 2483, HB 2484, HB 2491, HB 2628, HB 2703, HB 2754, HB 2781 approved on April 12, 2024.

HB 2536, HB 2545, HB 2549, HB 2615, HB 2629, HB 2634, HB 2660, HB 2665, HB 2675, HB 2690, HB 2790 approved on April 15, 2024.

S Sub for HB 2124, HB 2481, HB 2498, HB 2527, HB 2577, HB 2588, HB 2607 approved on April 18, 2024.

HB 2547, HB 2560, HB 2562 approved on April 19, 2024.

HB 2787 approved on April 22, 2024.

S Sub for HB 2144, HB 2501, S Sub HB 2570, HB 2760 approved on April 24, 2024.

MESSAGE FROM THE GOVERNOR

The following message from the Governor regarding **HB 2105**, which will become law without the governor's signature, was received and read.

While I have concerns about this legislation, I don't believe that the conduct targeted in this legislation occurs in our universities. We need to move forward and focus our efforts on making college more affordable and providing students from all backgrounds with the tools they need to succeed. I am focused on advancing policies that drive economic growth and develop tomorrow's workforce. For that reason, I will allow the bill to become law without my signature.

LAURA KELLY

Governor

Dated: April 19, 2024

MESSAGE FROM THE GOVERNOR

The following message from the Governor regarding **HB 2711**, which will become law without the governor's signature, was received and read.

While I support efforts to increase focus on national security, I am concerned about the unintended consequences that could be caused by this well-meaning legislation. Therefore, I will allow this bill to become law without my signature.

LAURA KELLY

Governor

Dated: April 19, 2024

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **Sub Bill for HB 2436**, AN ACT concerning abortion; relating to unlawful coercion to obtain an abortion; creating the crime of coercion to obtain an abortion; providing the penalties therefor; providing for enhanced criminal penalties for offenses committed with the intent to compel a woman to obtain an abortion; amending K.S.A. 21-6804 and repealing the existing section. was received and read.

While I agree that no one should be coerced into undergoing a medical procedure against their will, it is already a crime to threaten violence against another individual. Additionally, I am concerned with the vague language in this bill and its potential to intrude upon private, often difficult, conversations between a person and their family, friends, and health care providers. This overly broad language risks criminalizing Kansans who are being confided in by their loved ones or simply sharing their expertise as a health care provider. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Substitute for House Bill 2436**.

LAURA KELLY

Governor

Dated: April 12, 2024

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2446**, AN ACT concerning cities and counties; prohibiting the regulation of plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages. was received and read.

I believe in local control and that local officials should be held accountable by their constituents, stakeholders, and businesses. This bill lacks sufficient protection to ensure local units of government are able to play a meaningful role in decision making on issues impacting their communities. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2446**.

LAURA KELLY

Governor

Dated: April 12, 2024

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2648**, AN ACT concerning administrative rules and regulations; requirements for adoption of rules and regulations; providing that agency adjudications shall not be used to establish policies that are rules governing future private conduct that have the force of law; relating to economic impact statements; requiring legislative ratification for certain rules and regulations; requiring the director of the budget to review an agency's determination of implementation and compliance costs and disapprove proposed rules and regulations with incomplete or inaccurate economic impact statements; removing a requirement that legislative post audit conduct an audit in 2026 pertaining to economic impact statements; amending K.S.A. 2023 Supp. 77-415, 77-416 and 77-420 and repealing the existing sections. was received and read.

House Bill 2648 would insert bureaucratic red tape intended to legislatively interfere with the timely implementation of necessary and important rules and regulations. Many of these regulations are for the protection and safety of Kansans. Kansans voted no to giving the legislature veto power over rules and regulations in the November 2022 election. This is yet again another attempt by the legislature to undermine the will of the voters. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2648**.

LAURA KELLY

Governor

Dated: April 12, 2024

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2749**, AN ACT concerning abortion; relating to reports on abortions performed in this state; requiring the reporting of the reasons for each abortion performed at a medical care facility or by a healthcare provider; amending K.S.A. 2023 Supp. 65-445 and repealing the existing section. was received and read.

Kansans spoke loud and clear in August 2022. Voters do not want politicians getting between doctors and their patient by interfering in private medical decisions. House Bill 2749 is invasive and unnecessary. There is no valid medical reason to force a woman to disclose to the legislature if they have been a victim of abuse, rape, or incest prior to obtaining an abortion. There is also no valid reason to force a woman to disclose to the legislature why she is seeking an abortion. I refuse to sign legislation that goes against the will of the majority of Kansans who spoke loudly on August 2, 2022: Kansans don't

want politicians involved in their private medical decisions. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2749**.

LAURA KELLY

Governor

Dated: April 12, 2024

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2465**, AN ACT concerning taxation; relating to adoption expenses; enacting the adoption savings account act; allowing individuals to establish adoption savings accounts with certain financial institutions; providing eligible expenses, requirements and restrictions for such accounts; requiring the secretary of revenue to adopt certain rules and regulations; granting nonexclusive marketing authority to the state treasurer; establishing addition and subtraction modifications for contributions to such accounts under the Kansas income tax act; increasing the income tax credit amount for adoption expenses; relating to pregnancy resource centers and residential maternity facilities; establishing an income, privilege and premium tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities; providing for a sales tax exemption for purchases by pregnancy resource centers and residential maternity facilities; amending K.S.A. 79-32,202a and K.S.A. 2023 Supp. 79-32,117 and 79-3606 and repealing the existing sections. was received and read.

I do not believe it is appropriate to divert taxpayer dollars to largely unregulated crisis pregnancy centers. These entities are not medical centers and do not promote evidence-based methods to prevent unplanned pregnancies. This bill goes against the wishes of Kansans. On August 2, 2022, Kansas voters overwhelmingly signaled to politicians that they should stop inserting themselves between women and their private medical decisions. While some continue to meddle in Kansans' personal lives, I remain committed to upholding the will of Kansas voters. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2465**.

LAURA KELLY

Governor

Dated: April 19, 2024

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2532**, AN ACT concerning gaming; relating to parimutuel racing; concerning distribution of the tax on amounts wagered on historic horse races; amending K.S.A. 2023 Supp. 74-8823 and repealing the existing section. was received and read.

This bill would inadvertently cause a tax increase on the currently approved historical horse racing facility in Wichita. While I support the underlying goal of this legislation, I believe a trailer bill is necessary to ensure that this inadvertent tax increase does not occur. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2532**.

LAURA KELLY

Governor

Dated: April 19, 2024

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2583**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public morals; increasing the criminal penalty for harming or killing certain dogs and horses; requiring restitution for such crime to include veterinary medical treatment, funeral and burial expenses and replacement of such animal; amending K.S.A. 21-6416 and 21-6604 and repealing the existing sections. was received and read.

The death of any law enforcement animal is a tragedy. There is no question we should hold those responsible accountable for their actions. While the intention of this bill is commendable, this legislation needs further evaluation and study. First, House Bill 2583 imposes mandatory minimum sentences that disregard important factors that should be left to the discretion of a judge through the regular sentencing process. Second, the mandatory sentences are out of line with other, more severe crimes without justification for why that is required. Third, while the requirement for a psychological evaluation and anger management program are important, we do not apply this same standard to many other heinous crimes. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2583**.

LAURA KELLY

Governor

Dated: April 19, 2024

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2614**, AN ACT concerning elections; relating to election crimes; requiring certain information be provided on advance voting ballot envelopes; directing county election officers to record the name of individuals returning advance voting ballots on behalf of another voter and the number of such ballots returned; requiring county election officers to file complaints if laws regulating the return of such ballots are violated; removing the requirement to provide the name of the treasurer of the sponsoring organization of a political advertisement; amending K.S.A. 25-1121, 25-1128, 25-2407 and 25-4156 and repealing the existing sections. was received and read.

This bill is an attempt to disenfranchise Kansas voters by enacting burdensome and unnecessary requirements that are designed to restrict and suppress advanced voting. Kansans have a right to participate in our democracy, but time and again some politicians have tried to interfere in the voting process. I will continue to oppose efforts that place obstacles between voters casting their ballots and making their voices heard. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2614**.

LAURA KELLY

Governor

Dated: April 19, 2024

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2618**, AN ACT concerning elections; relating to the election crime of false representation of an election official; requiring specific intent of the offender as an element of such criminal offense; amending K.S.A. 25-2438 and repealing the existing section. was received and read.

There is no evidence of widespread voter fraud or instances of individuals impersonating election officials in Kansas. Additionally, there is no reason to potentially restrict the use of federal funds for election purposes. Kansas is already one of the lowest-ranking states for use of utilizing federal funding. Accepting these dollars helps Kansas ensure smooth administration of our elections. Restrictive voting legislation of any kind is wrong. Instead of making it more challenging for Kansans to participate in our democracy or focusing on problems that do not exist, I would urge the legislature to focus on real issues impacting Kansans. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2618**.

LAURA KELLY

Governor

Dated: April 19, 2024

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **S Sub for HB 2036**, AN ACT concerning taxation; relating to income tax; modifying tax rates for individuals; eliminating the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction and the Kansas personal exemption; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; decreasing the rate of ad valorem tax imposed by a school district; abolishing the local ad valorem tax reduction fund and the county and city revenue sharing fund and providing for certain transfers to the state school district finance fund; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-1107, 79-1108 and 79-1479 and K.S.A. 2023 Supp. 72-5142, 74-8768, 79-201x, 79-2988, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 79-2959 and 79-2964. was received and read.

While I appreciate the bipartisan effort that went into this tax cut package and support many of the provisions included, I cannot sign into law a bill that jeopardizes our state's future fiscal stability. I have said repeatedly that I will do everything in my power to prevent our state from the fiscal mismanagement of the previous administration. Since becoming governor, my administration has been laser-focused on getting us back on track, so we don't go back to the days of four-day school weeks, crumbling roads and bridges, and crippling debt. This bill is too expensive and risks reversing the progress we've made. When working on any fiscal package, including tax cuts, legislators must consider the legislation's affordability beyond their next election. The total fiscal impact of tax relief should stay within the tax plan I released with this

veto. I encourage legislators to send me a tax package that gives Kansans the relief they desperately need while not putting the state on the path to bankruptcy. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Substitute for House Bill 2036**.

LAURA KELLY
Governor

Dated: April 24, 2024

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2098**, AN ACT concerning sales and compensating use tax; relating to motor vehicles; providing for a deduction for calculating tax owed when selling a motor vehicle that is purchased within 120 days of the sale of another vehicle; providing an exemption for certain purchases by disabled veterans of the armed forces of the United States; excluding manufacturers' coupons from the sales or selling price; providing exemptions for custom meat processing services, purchases for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf, certain purchases by doorstep inc., exploration place, inc., Kansas children's discovery center, inc. and the Kansas fairgrounds foundation; providing for a sales tax exemption for sales of property and services used in the provision of communications services; amending K.S.A. 12-199 and K.S.A. 2023 Supp. 79-3602 and 79-3606 and repealing the existing sections; also repealing K.S.A. 2023 Supp. 79-3602c. was received and read.

The intent of House Bill 2098 is on the right track to provide Kansans with sales tax relief. However, the impact these tax cuts would have on the State General Fund cannot be realized without knowing the total cost of all tax bills, including a fair, sustainable, and fiscally responsible tax relief package. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2098**.

LAURA KELLY
Governor

Dated: April 24, 2024

COMMUNICATIONS FROM STATE OFFICERS

From John S. Robb, Somers, Robb and Robb Attorneys, Newton, KS; in compliance with K.S.A. 72-1439; The Board of Education of Unified School District No. 373, Harvey County, KS; Notice of Intention to Dispose of Building by transferring real estate to the City of Walton.

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

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 458**.

The Senate adopts the Conference Committee report on **SB 271**.

The Senate not adopts the Conference Committee report on **SB 172**, requests a conference and appoints Senators Thompson, Kloos and Faust-Goudeau as Third conferees on the part of the Senate.

COMMITTEE ASSIGNMENT CHANGE

Speaker Hawkins announced the appointment of Rep. Oropeza to replace Rep. Woodard on Committee on Appropriations April 26, 2024.

REPORT ON ENGROSSED BILLS

HB 2562, HB 2614, HB 2618 reported correctly engrossed April 6, 2024.

HB 2465, HB 2547, HB 2560, HB 2787 reported correctly engrossed April 8, 2024.

HB 2098 reported correctly engrossed April 9, 2024.

HB 2760 reported correctly engrossed April 11, 2024.

REPORT ON REENGROSSED BILLS

HB 2105, HB 2570 reported correctly re-engrossed April 8, 2024.

HB 2501 reported correctly re-engrossed April 9, 2024.

REPORT ON ENROLLED BILLS

HB 2105, HB 2124, HB 2465, HB 2481, HB 2498, HB 2527, HB 2532, HB 2547, HB 2560, HB 2562, HB 2577, HB 2583, HB 2588, HB 2607, HB 2614, HB 2618, HB 2711 reported correctly enrolled, properly signed and presented to the Governor on April 9, 2024.

HB 2787 reported correctly enrolled, properly signed and presented to the Governor on April 12, 2024.

S Sub for HB 2036, HB 2098, S Sub for HB 2144, HB 2501, Sub HB 2570, HB 2760 reported correctly enrolled, properly signed and presented to the Governor on April 15, 2024.

REPORT ON ENROLLED RESOLUTIONS

HR 6045, HR 6046 reported correctly enrolled and properly signed on April 8, 2024.

HCR 5027 reported correctly enrolled and properly signed on April 15, 2024.

On motion of Rep. Croft, the House adjourned until 10:00 a.m., Friday, April 26, 2024.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

