

Journal of the House

FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 14, 2021, 11:00 a.m.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2066, AN ACT concerning occupational regulation; relating to occupational licenses for certain applicants; telemedicine; temporary emergency licenses; electronic credentials; amending K.S.A. 2020 Supp. 48-3406 and repealing the existing section, by Representatives Croft, Owens, Proctor, Tarwater, Thomas and Wasinger.

HB 2067, AN ACT concerning school districts; relating to the allocation of school district moneys for improvement of student academic performance; amending K.S.A. 72-1163 and repealing the existing section, by Committee on K-12 Education Budget.

HB 2068, AN ACT concerning education; relating to the tax credit for low income students scholarship program act; expanding student eligibility for the program; amending K.S.A. 2020 Supp. 72-4352, 72-4354 and 72-5178 and repealing the existing sections, by Committee on K-12 Education Budget.

HB 2069, AN ACT concerning financial institutions; enacting the Kansas economic recovery loan deposit program; relating to credit unions, field of membership; banks, trust companies and savings and loan institutions, privilege tax, deduction of net interest received from certain agricultural real estate loans and single family residence loans; amending K.S.A. 75-4237 and 79-1109 and K.S.A. 2020 Supp. 17-2205 and repealing the existing sections, by Committee on Financial Institutions and Rural Development.

HB 2070, AN ACT concerning postsecondary education; relating to certain private postsecondary educational institutions; acceptable methods of payment, credit card surcharges; amending K.S.A. 75-30,100 and repealing the existing section, by Committee on Taxation.

HB 2071, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; increasing criminal penalties for stalking a minor; amending K.S.A. 2020 Supp. 21-5427 and repealing the existing section, by Representatives Lynn, Aramberger, Croft, Esau, Finch, Hawkins, Helmer, Hoheisel, Landwehr, Long, Owens, Resman, Ryckman, Samsel, Tarwater, Thomas, Toplikar, Waggoner, Wasinger, K. Williams and Woodard.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5004**—
By Committee on Elections

HCR 5004—A PROPOSITION to amend section 11 of article 1 of the constitution of the state of Kansas, relating to vacancies in executive offices.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 11 of article 1 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 11. **Vacancies in executive offices.** When the office of governor is vacant, the lieutenant governor shall become governor. In the event of the disability of the governor, the lieutenant governor shall assume the powers and duties of governor until the disability is removed. The legislature shall provide by law for the succession to the office of governor should the offices of governor and lieutenant governor be vacant, and for the assumption of the powers and duties of governor during the disability of the governor, should the office of lieutenant governor be vacant or the lieutenant governor be disabled. When the office of secretary of state or attorney general is vacant, ~~the governor shall fill the vacancy by appointment~~ legislature shall provide by law for the filling of the vacancy for the remainder of the term. If the secretary of state or attorney general is disabled, ~~the governor shall name~~ legislature shall provide by law for the naming of a person to assume the powers and duties of the office until the disability is removed. The procedure for determining disability and the removal thereof shall be provided by law."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of this amendment is to replace the authority of the governor to fill vacancies in the offices of secretary of state and attorney general, by appointment, and to name persons to assume the powers and duties of the offices of secretary of state and attorney general, if the secretary of state or attorney general is disabled, with a grant of authority to the legislature to provide by law for the filling of vacancies in those offices and for the naming of persons to assume those offices in the event of a disability.

"A vote for this proposition would amend the Kansas constitution to permit the legislature to provide, by law, for the filling of vacancies in the offices of the secretary of state and the attorney general and to provide, by law, for the naming of persons to assume the offices of secretary of state and attorney general, if the person holding that office became disabled.

"A vote against this proposition would not amend the constitution, in which case the current provision providing the governor with the authority to fill vacancies in the offices of secretary of state and attorney general, by appointment, and the authority to name persons to assume those offices in the event of disability would remain. "

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE RESOLUTION NO. HCR 5005—

by Representatives Ryckman, Finch, Hawkins, Sawyer and Probst

HCR 5005—A CONCURRENT RESOLUTION honoring the hard work and resiliency of frontline workers during the COVID-19 pandemic.

WHEREAS, On March 13, 2020, President Trump declared a public health emergency due to the outbreak of COVID-19; and

WHEREAS, COVID-19 presents a daunting challenge that our healthcare workers, food service workers, childcare workers, transportation workers and other frontline workers face everyday; and

WHEREAS, The state of Kansas has called upon our frontline workers to serve their state during this pandemic; and

WHEREAS, Frontline workers have answered this call and carried out critical work to protect the health and safety of our communities and minimize the disruption that COVID-19 has caused; and

WHEREAS, Kansans owe a debt of gratitude to Kansas frontline workers for their selfless service during the COVID-19 pandemic: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the State of Kansas honors the hard work and resiliency of all frontline workers who continue to serve Kansas during the COVID-19 pandemic; and

Be it further resolved: That the Secretary of State shall send three enrolled copies of this resolution to Representative Finch.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Children and Seniors: **HB 2062.**

Commerce, Labor and Economic Development: **HB 2057.**

Elections: **HB 2051, HB 2052, HB 2053, HB 2054, HB 2055.**

Federal and State Affairs: **HB 2056, HB 2058, HB 2059, HB 2060, HB 2061, HB 2065, HR 6007.**

Insurance and Pensions: **HB 2063, HB 2064.**

COMMUNICATIONS FROM STATE OFFICERS

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 22a-243, the 2020 annual report of the Kansas State Death Review Board.

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

APPOINTMENT OF SELECT COMMITTEE

Speaker Ryckman, pursuant to Article 49 of the House Rules and in accordance with K.S.A. Chapter 46, Article 10, appointed the following members to serve on a Select Investigative Committee in response to the complaint filed with the House Clerk, Susan Kannarr on January 12th, 2021:

Rep. John Barker (Chair) Rep. Susan Humphries, Rep. Kristey Williams
Rep. Dennis “Boog” Highberger, Rep. Cindy Neighbor, Rep. Susan Ruiz.

January 12, 2021

Chief Clerk
House of Representatives

Pursuant to House Rule 4901, we are requesting censure procedures including consideration of expulsion of Representative Aaron Coleman for his actions after he became the Representative-elect of the 37th House District.

Representative Coleman brings to the Kansas Legislature a longstanding history of physically and emotionally abusive behavior. Some acts pre-date his election in 2020, yet illustrate a pattern of behavior that continues to the present day.

An attached document outlines some of his more recent and egregious offenses, including a public threat against the Governor of Kansas, recent physical abuse of a woman, and harassment of another woman that resulted in the filing of a request for a court protective order. This list is long, but it is not comprehensive.

Representative Coleman’s past and present behavior renders him unfit for office. His removal is further necessary to ensure the safety and well-being of legislators and Capitol staff.

We the undersigned hereby desire to lodge a formal complaint.

Tom Sawyer, Jason Probst, Jo Ella Hoyer, Lindsay Vaughn, Christine Haswood, Jennifer Day, Mari-Lynn Poskin, Stephanie Byers, Linda Featherston, Barbara Ballard, Stephanie Clayton, Brandon Woodard, Rui Xu.

On motion of Rep. Hawkins the House adjourned pro forma until 9:00 a.m. on Friday, January 15, 2021.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*