

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Judiciary** recommends **HB 2416** be amended on page 2, in line 39, by striking "15-day" and inserting "30-day"; in line 41, by striking "48-924(f)(2)" and inserting "48-925(f)(2)";

On page 4, in line 34, by striking all after "in"; in line 35, by striking all before the period and inserting "the Kansas emergency management act";

On page 5, in line 25, by striking "15" and inserting "30";

On page 6, in line 37, after "extend" by inserting "the"; also in line 37, by striking "the";

On page 9, in line 34, by striking "15-day" and inserting "30-day";

On page 11, following line 19, by inserting:

"Sec. 7. K.S.A. 2020 Supp. 48-949 is hereby amended to read as follows: 48-949. As used in ~~this~~ the Kansas intrastate emergency mutual aid act:

(a) "Division" means the division of emergency management within the office of the adjutant general.

(b) "Emergency responder" means any person in the public or private sector who: (1) Has special skills, qualifications, training, knowledge and experience which would be beneficial to a participating political subdivision in response to a locally-declared emergency as defined in any applicable law or ordinance or authorized drill or exercises; and (2) is requested or authorized, or both, to respond. An emergency responder may or may not be required to possess a license, certificate, permit or other official recognition for the emergency responder's expertise in a particular field or area of knowledge. "Emergency responder" may include, but is not limited

to, the following: Law enforcement officers, ~~fire fighters~~ firefighters, 911 dispatch center personnel, emergency medical services personnel, physicians, nurses, public health personnel, emergency management personnel, public works personnel and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency.

Sec. 8. K.S.A. 75-3711 is hereby amended to read as follows: 75-3711. (a) The governor shall:

(1) Hear and determine appeals by any state agency from final decisions or final actions of the secretary of administration or the director of computer services.

(2) Approve, modify and approve or reject proposed rules and regulations submitted by the secretary of administration as provided in K.S.A. 75-3706, and amendments thereto.

(3) Make allocations to, and approve expenditures by a state agency, from any appropriations to the governor for that purpose, of funds for unanticipated and unbudgeted needs, under guidelines and limitations prescribed by K.S.A. 75-3711c, and amendments thereto, or other legislative enactment enhancing or altering K.S.A. 75-3711c, and amendments thereto.

(4) Exercise powers and perform functions specified for the state finance council or governor by the Kansas civil service act.

(b) (1) The chairperson and five or more other members of the state finance council shall constitute a quorum. Approval by the governor and approval by a majority vote of the legislative members of the state finance council shall govern, unless a unanimous vote is required by statute in any particular case.

(2) Whenever a matter is to be acted on by the state finance council and a unanimous vote is required to approve the particular matter by K.S.A. ~~48-924~~, 75-3713, 75-3713b or 75-3713c, and amendments thereto, or by any other statute, each member who is unable to attend the meeting at which the matter was voted on, may vote on the motion by written absentee vote

in the manner prescribed by this subsection. In any such case, an absent member may vote on the motion by ~~(A)~~ writing the member's signature on a copy of the resolution setting forth the matter that is the subject of the motion, writing the date and indicating the member's vote for or against adoption of the resolution; and ~~(B)~~ submitting the copy of the resolution bearing the absentee vote to the secretary of the state finance council either before or not more than 10 days after the date of the meeting at which the motion was voted on. The secretary of the state finance council shall maintain each copy of a resolution bearing an absentee vote as part of the minutes and records of the meeting at which the motion on the resolution was voted on. The secretary shall indicate in the minutes of the meeting the name of each member voting in writing by absentee vote and the date on which the absentee vote was submitted to the secretary. If a particular matter requiring a unanimous vote receives the affirmative vote of each member of the state finance council attending the meeting and the affirmative absentee vote pursuant to this subsection of each member not attending the meeting, then the matter shall be deemed to have received the unanimous vote of all members of the state finance council.

(c) Whenever statutes provide for any matter to receive state finance council action, ~~the same~~ such matter shall be made a matter of business before ~~said~~ the council, if and only if the matter is characterized as a legislative delegation, and in other such cases the governor shall exercise the function specified for the state finance council by applying the guidelines and limitations of K.S.A. 75-3711c, and amendments thereto, or other legislative enactment enhancing or altering ~~the same~~ such function.";

Also on page 11, in line 27, after "46-1202" by inserting "and 75-3711"; in line 30, by striking "and"; also in line 30, after "48-925b" by inserting "and 48-949";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "extending the time of an

initial state of disaster emergency;" in line 8, after the semicolon by inserting "adding 911 dispatch center personnel to the definition of emergency responder;"; in line 9, after "46-1202" by inserting "and 75-3711"; in line 11, by striking "and"; also in line 11, after "48-925b" by inserting "and 48-949"; and the bill be passed as amended.

\_\_\_\_\_Chairperson