

# Journal of the House

FIFTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, January 29, 2024, 11:00 a.m.

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

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**HB 2613**, AN ACT concerning the attorney general; relating to the drug abuse resistance education (D.A.R.E.) program; creating the position of statewide drug abuse resistance education educator and providing for the duties and responsibilities thereof; establishing the drug abuse resistance education fund and providing funding for such fund through an annual transfer of state moneys; amending K.S.A. 38-2101 and 75-721 and repealing the existing sections, by Representative Essex.

**HB 2614**, AN ACT concerning administrative rules and regulations; requiring state agencies to provide notice of revocation thereof; removing certain abolished or inactive state agencies from the five-year state agency review requirement; amending K.S.A. 2023 Supp. 77-426 and 77-440 and repealing the existing sections, by Committee on Elections.

**HB 2615**, AN ACT concerning the publication of state laws and rules and regulations; relating to the publishing, printing and distributing thereof; removing state printer from timeline requirements for printing session laws; providing statewide elected officials and legislators to receive statute books and supplements upon request; requiring all administrative rules and regulations to be published electronically and eliminating the printing of volumes and supplements thereof; providing for the authenticating, preparing of searchable base and setting of prices of administrative rules and regulations by the secretary of state; amending K.S.A. 45-315, 77-165, 77-423, 77-429 and 77-435 and K.S.A. 2023 Supp. 77-138 and 77-430 and repealing the existing sections; also repealing K.S.A. 77-424 and 77-428 and K.S.A. 2023 Supp. 77-430a and 77-431, by Committee on Elections.

**HB 2616**, AN ACT concerning elections; relating to the qualifications of poll workers; prohibiting the disqualification of certain individuals as poll workers on the basis of residency or registered voter status, by Committee on Elections.

**HB 2617**, AN ACT concerning state governmental ethics; relating to members of the legislature; prohibiting voting on certain legislative matters in which a member has a special interest; amending K.S.A. 46-214a and 46-288 and repealing the existing sections, by Committee on Elections.

**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, by Committee on Elections.

**HB 2619**, AN ACT concerning retirement and pensions; relating to the Kansas deferred retirement option program act; expanding such program membership to all members of the Kansas public employees retirement system; amending K.S.A. 74-4986m and 74-4986o and K.S.A. 2023 Supp. 74-4986l, 74-4986n and 74-4986p and repealing the existing sections, by Representatives Penn and Williams, K.

HOUSE CONCURRENT RESOLUTION No. **HCR 5024**—  
By Representative Dodson

A PROPOSITION to amend article 14 of the constitution of the state of Kansas by adding a new section thereto; reserving to the people of Kansas the power of initiative.

*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: Article 14 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 3. **Power of initiative.** (a) (1) The people reserve the power to propose and enact or reject amendments to this constitution by initiative, independent of the legislature.

(2) An initiative amendment to this constitution may be proposed only by a petition signed by not less than 10% of the qualified electors who voted in the last preceding gubernatorial election.

(3) An initiative petition shall be filed with the secretary of state not less than 120 days prior to the election at which the proposed amendment is to be voted upon and not more than 360 days after such petition was approved pursuant to subsection (c).

(4) An initiative petition shall include the full text of the proposed amendment to this constitution. A proposed amendment shall not contain more than one subject, and the enacting clause thereof shall be "Be it resolved by the people of the State of Kansas:".

(5) The title of each proposed amendment to this constitution shall be specified in the initiative petition and shall be a brief nontechnical statement expressing the intent or purpose of the proposed amendment and the effect of a vote for and a vote against the proposed amendment.

(6) When more than one proposed amendment to this constitution is submitted at the same election, such proposed amendments shall be so submitted as to enable the electors to vote on each proposed amendment separately.

(7) One amendment to this constitution may revise any entire article, except

the article on general provisions, and in revising any article, the article may be renumbered and all or parts of other articles may be amended, or amended and transferred to the article being revised.

(8) Not more than five amendments proposed by initiative shall be submitted at the same election.

(b) (1) Notwithstanding the provisions of section 1 of article 2 of this constitution, the people reserve the power to propose and enact or reject laws by initiative, independent of the legislature.

(2) An initiative law may be proposed only by a petition signed by not less than 5% of the qualified electors who voted in the last preceding gubernatorial election.

(3) An initiative petition shall be filed with the secretary of state not less than 120 days before the election at which the proposed law is to be voted upon and not more than 360 days after such petition was approved pursuant to subsection (c).

(4) An initiative petition shall include the full text of the proposed law. A proposed law shall not contain more than one subject, and the enacting clause thereof shall be "Be it enacted by the people of the State of Kansas:".

(5) The title of each proposed law shall be specified in the initiative petition and shall be a brief nontechnical statement expressing the intent or purpose of the proposed law and the effect of a vote for and a vote against the proposed law.

(6) When more than one proposed law is submitted at the same election, such proposed law shall be so submitted as to enable the electors to vote on each proposed law separately.

(7) An initiative petition that requires the appropriation of moneys shall only require the appropriation of moneys directly attributable to revenues collected pursuant to the provisions of the petition, and the purpose of such appropriation shall not otherwise be prohibited by this constitution.

(c) (1) Before an initiative petition may be circulated for signatures, a draft of such petition shall be submitted to the secretary of state in the form in which such petition will be circulated for signatures. Upon submission of a draft petition to the secretary of state, the name and address of an individual shall be provided to the secretary of state as the individual to whom any notices shall be sent. The secretary of state shall transmit a copy of the draft petition to the attorney general for review. The secretary of state and the attorney general shall each review the draft petition for sufficiency as to form, approve or reject the form of the draft petition and state the reasons for rejection, if any.

(2) Upon receipt of a draft petition from the secretary of state, the attorney general shall examine the draft petition as to form. The attorney general shall send notice of approval or rejection of the draft petition to the secretary of state within 10 days after receipt of the draft petition.

(3) The secretary of state shall review the notice of approval or rejection of the attorney general and make a final decision as to the approval or rejection of the form of the draft petition. The secretary of state shall send written notice of such approval or rejection, including the reasons for rejection, to the individual designated to receive notices within 30 days after submission of the draft petition.

(d) All elections on initiative measures shall be held at the regular general elections in even-numbered years.

(e) Notwithstanding any provision of this constitution to the contrary, an initiative measure shall become effective 30 days after the day on which it is enacted or approved by a majority of the votes cast thereon. When conflicting measures are approved at the same election, the one receiving the largest affirmative vote shall prevail.

(f) The provisions of this section shall be self-executing, but legislation may be enacted to facilitate its implementation."

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

*"Explanatory statement.* This amendment would allow the people to propose and enact or reject amendments to the constitution of the state of Kansas by initiative, independent of the legislature. This amendment would also allow the people to propose and enact or reject laws by initiative, independent of the legislature.

"A vote for this proposition would reserve to the people the power to propose and enact or reject laws and amendments to the constitution of the state of Kansas by initiative, independent of the legislature.

"A vote against this proposition would not make any changes to the constitution and would not reserve the power of initiative and referendum to the people."

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 2024, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case the proposed amendment shall be submitted to the electors of the state at the special election.

#### MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2284**, AN ACT concerning taxation; relating to income tax; providing a 5.25% tax rate for individuals; eliminating the income limitation to receive the subtraction modification exempting social security benefits; increasing the Kansas standard deduction by a cost-of-living adjustment; increasing 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; concerning sales and compensating use tax; relating to sales of food and food ingredients; reducing the rate of tax imposed; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2023 Supp. 79-201x, 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. was received and read.

**MESSAGE FROM THE GOVERNOR  
REGARDING VETO OF HOUSE BILL 2284**

I support responsible tax cuts, but I refuse to sign into law a reckless flat tax that would take us back to Brownback while doing next to nothing for the middle class. This flat tax experiment would overwhelmingly benefit the super wealthy, and I'm not going to put our public schools, roads, and stable economy at risk just to give a break to those at the very top.

I am dead set on making sure working Kansans get a tax cut this year. That's why I've brought together Republican, Democratic, and Independent legislators to champion a \$1 billion tax cut over three years, all while maintaining our state's strong fiscal foundation. Our bipartisan tax cut will make it easier for families to pay for groceries, child care, diapers, and school supplies - while also cutting property, sales, and retirement taxes.

While I urge the legislature to take this irresponsible flat tax experiment off the table once and for all, know that I will not let legislators leave Topeka this year without meaningfully and responsibly cutting taxes for middle-class families. I will call a special session if I have to - anything to ensure Kansans see tax relief, immediately. Let's work together to cut taxes in a way that continues our economic growth while benefiting all Kansans, not just the wealthiest.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2284.

Dated: January 26, 2024

LAURA KELLY  
*Governor of Kansas*

**COMMUNICATIONS FROM STATE OFFICERS**

From Brad Loveless, Secretary, Kansas Department of Wildlife & Parks; pursuant to K.S.A. 32-844 and K.S.A. 32-845; Land Acquisition and Lease Renewal Report by the Kansas Department of Wildlife and Parks.

From Brad Loveless, Secretary, Kansas Department of Wildlife & Parks; pursuant to K.S.A. 32-995; Hunters Feeding the Hungry Report for 2023, Kansas Department of Wildlife and Parks.

From Alexandra Blasi, JD, MBA, Executive Secretary, Kansas Board of Pharmacy; pursuant to K.S.A. 65-4102(b); Report on Substances Proposed for Scheduling, Rescheduling or Deletion.

From Alexandra Blasi, Executive Secretary, Kansas Board of Pharmacy; pursuant to K.S.A. 65-1691; 2024 Annual Report.

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

**REPORT ON ENROLLED BILLS**

**HB 2284** reported correctly enrolled and properly signed on January 26, 2024.

On motion of Rep. Croft the House adjourned pro forma until 11:00 a.m. on Tuesday, January 30, 2024.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*