

**The Kansas Legislature Week 7:**

**Voting Increases before Turnaround Day**

**February 21-House**

HCR 5014 would amend the Kansas Constitution to create a new section in Article 1 concerning legislative oversight of administrative rules and regulations. The new section would provide that, whenever the Legislature by law has authorized any officer or agency within the executive branch to adopt rules and regulations that have the force and effect of law, the Legislature may provide by law for revocation or suspension of any such rules and regulation, or any portion thereof. The vote was: Yeas 85; Nays 39; Absent or not voting: 1. Yeas: Rep. Highland, Schreiber, E. Smith. A two-thirds majority of the members of the House having voted in the affirmative, the resolution was adopted.

**February 21-Senate:** No votes were taken.

**February 22-House**

 HB 2517 would transfer provider certification duties for certified drug abuse treatment programs for drug offenders from the Department of Corrections to the Kansas Sentencing Commission by replacing references to the Secretary of Corrections with “Commission” in the relevant definitions and provisions. This bill would remove community correction officers from those who may conduct criminal risk-needs assessments for purposes of such programs and would allow the Commission to establish a process for revoking certification of programs that do not meet the Commission’s qualifications for certification.The vote was: Yeas 120; Nays 0; Absent or not voting: 5. Rep. Highland, Schreiber, and E. Smith voted Yea.

 HB 2594would create an exemption in law related to vehicle identification number (VIN) offenses for antique vehicles. Current law prohibits the destruction, removal, alteration, or defacing of a VIN when no part of the motor vehicle, trailer, or semitrailer has been stolen and a VIN has been assigned. Any law enforcement officer is directed to seize the motor vehicle or trailer having such a VIN. The seized vehicle is classified as an article of contraband and subject to destruction. The vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5. Rep. Highland, Schreiber, and E. Smith voted Yea.

 HB 2607would amend time limitations for *habeas corpus* motions under KSA 60-1507. This bill would add that such motions would have to be filed within one year of the decision of the district court denying a prior motion under the section, the opinion of the last appellate court in the state to exercise jurisdiction on such prior motion, or the denial of the petition for review on such prior motion, whichever is later. This amendment would not bar actions under this section that are brought within one year of the bill’s effective date. The vote was: Yeas 120; Nays 0; Absent or not voting 5. Rep Highland, Schreiber and E. Smith voted Yea.

**February 22-Senate:** No votes were taken.

**February 23-House**

HB 2110 would require, for the 2023 State Employee Health Plan coverage year, the State Employees Health Care Commission to provide coverage for the diagnosis and prescribed treatment for pediatric acute-onset neuropsychiatric syndrome (PANS) and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS), for the purposes of studying the utilization and cost of such coverage. The vote was: Yeas 113; Nays 8; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2299 would amend the Code of Criminal Procedure to extend, from 96 hours to 240 hours, the time period within which a search warrant must be executed after it is issued. The vote was: Yeas 119; Nays 2; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2386 would establish requirements and restrictions for the payment and reimbursement of dental services. The vote was: Yeas 118; Nays 3; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

 HB 2456 would authorize the Secretary of Wildlife and Parks to issue a Kansas kids lifetime combination hunting and fishing license. The vote was: Yeas 117; Nays 4; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2481 would authorize members of the Kansas Police and Firemen’s Retirement System to purchase service time credited as service for eligible prior in-state, non-federal governmental employment. The vote was: Yeas 121; Nays 0; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2483 would authorize a Daughters of the American Revolution license plate for use on a passenger vehicle or a truck registered for issuance on or after January 1, 2023. The vote was: Yeas 105; Nays 16; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2496 would enact the Uniform Family Law Arbitration Act. The vote was: Yeas 121; Nays 0; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2508 would create law requiring an applicant, employee, or volunteer subject to a criminal history record check to provide to the requesting authorized entity written consent to obtain such person’s fingerprints to conduct a criminal history record check and participate in the Rap Back Program for the purpose of determining suitability or fitness for a permit, license, employment, or volunteer service. The vote was: Yeas 115; Nays 6; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2510 would amend certain investment limitation requirements to increase the permissible investment options in equity interests and preferred stock for Kansas-domiciled life insurance companies. The vote was: Yeas 120; Nays 1; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2515 would create a mechanism to seek relief from the Kansas Offender Registration Act for certain drug offenders. The vote was: Yeas 120; Nays 1; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2516 would amend law concerning presentence investigation reports, criminal history calculation, and correction of an illegal sentence or clerical error. The vote was: Yeas 121; Nays 0; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2529 would amend law governing distinctive license plates for U.S. military veterans. The vote was: Yeas 120; Nays 1; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2547 would amend and enact law supplemental to the Captive Insurance Act to allow a technology-enabled fiduciary financial institution insurance company to operate as an authorized captive insurance company in Kansas. The vote was: Yeas 120; Nays 1; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2559 would create the Kansas Cotton Boll Weevil Program, which would be administered by a board of directors. The vote was: Yeas 83; Nays 37; Present but not voting: 1; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2563 would create new law regarding industrial hemp testing services and seed treated with an irritating or poisonous substance, and update laws that are administered by the Plant Protection and Weed Control Program of the Kansas Department of Agriculture. The vote was: Yeas 113; Nays 8; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2567 would increase a service fee paid by any applicant for vehicle registration or renewal. The bill also would remove or reduce a number of other fees related to vehicle titling and registration and directed to the county treasurer and would eliminate the Division of Vehicles modernization surcharge on each vehicle registration. The vote was: Yeas 114; Nays 6; Present but not voting: 1; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2568 would update the Kansas Mortgage Business Act to allow certain mortgage business to be conducted remotely and make changes to definitions and branch licensure and other registration requirements for mortgage companies. The vote was: Yeas 118; Nays 3; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2574 would amend law related to awards by the Crime Victims Compensation Board. The bill would raise the award limit for funeral and related expenses from $5,000 to $7,500 and raise the award limit for crime scene cleanup from $1,000 to $2,500. The vote was: Yeas 121; Nays 0; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2579 would require treasurers for candidates for state offices to file reports electronically with the Secretary of State. On roll call, the vote was: Yeas 90; Nays 31; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2595 would amend law regarding titling procedures for certain antique vehicles. On roll call, the vote was: Yeas 121; Nays 0; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2597 would authorize four distinctive license plates for the Kansas Department of Wildlife and Parks for issuance on or after January 1, 2023. The vote was: Yeas 116; Nays 5; Absent or not voting: 4. Yeas:

HB 2608 would amend and repeal law related to enforcement and collection of criminal restitution. The vote was: Yeas 117; Nays 4; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2633 would authorize a City of Hutchinson license plate for use on a passenger vehicle or a truck registered for issuance on or after January 1, 2023. The vote was: Yeas 108; Nays 13; Present but not voting: 0; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2654 would provide guidance for the consolidation of supervision into one supervision entity or agency for an offender under the supervision of two or more supervision entities or agencies. The vote was: Yeas 121; Nays 0; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2688 would require the board of county commissioners, the governing body of the city, or the Director of the Alcoholic Beverage Control Division to issue a Cereal Malt Beverage (CMB) retailer’s license to applicants who have already been issued a farm winery license and satisfy the requirements for such CMB retailer’s license. The vote was: Yeas 116; Nays 5; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2703 would amend law related to unemployment compensation regarding out-of-state reimbursing employers, fund control tables, solvency and credit rate schedules, and the My Reemployment Plan program. The vote was: Yeas 121; Nays 0; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HCR 5022 amends sections 2 and 5 of article 9 of the Kansas constitution to require that a sheriff be elected in each county for a term of four years. The vote was: Yeas 97; Nays 24; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith. A two-thirds majority of the members having voted in the affirmative, the resolution was adopted.

HCR 5030 recognizes the growing problem of antisemitism in the United States and calls for the adoption of the International Holocaust Remembrance Alliance Working Definition of Antisemitism as an important tool to address the problem. The vote was: Yeas 121; Nays 0; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

HB 2605 would expand and clarify the requirements for the Veterinary Training Program for Rural Kansas at Kansas State University College of Veterinary Medicine and create an advisory committee to oversee the Program. The vote was: Yeas 115; Nays 6; Absent or not voting: 4. Yeas: Rep. Highland, Schreiber, E. Smith.

**February 23-Senate**

SB 446 would designate three bridges in Cherokee County as Veterans Memorial Bridge. The vote was: Yeas 40; Nays 0.

SB 451 would remove a requirement for which a Kansas resident must provide satisfactory proof that the person is at least 1/16 Indian by blood for purposes of receiving a free, permanent license to hunt, fish, and fur harvest in the state. The vote was: Yeas 40; Nays 0.

Sub. for SB 34 would require all rules and regulations adopted under the Rules and Regulations Filing Act to be reviewed by agencies every five years, would establish reporting requirements for agencies, and would establish an alternative revocation procedure for certain rules and regulations. The vote was: Yeas 32; Nays 7; Present and Passing 1. Sen. Longbine voted Yea.

SB 141 would enact the Kansas Uniform Directed Trust Act to allow for the creation of directed trusts and amend provisions in the Kansas Uniform Trust Code. The vote was: Yeas 39; Nays 1. Sen. Longbine voted Yea.

SB 150 would create law related to legal advertising and the use of protected health information to solicit individuals for legal services. The vote was: Yeas 24; Nays 14; Present and Passing 2. Sen. Longbine voted Yea.

SB 161 would define “personal delivery device” as a powered device operated primarily on sidewalks and crosswalks and intended primarily for the transport of property on public rights-of-way that does not exceed 150 pounds, excluding cargo, and is capable of navigating with or without the active control or monitoring by a person. The vote was: Yeas 24; Nays 15; Present and Passing 1. Sen. Longbine voted Yea.

SB 215 would transfer authority for driver’s education, motorcycle education, and truck driver training programs operated by postsecondary institutions from the State Board of Regents to the Department of Revenue and authority for driver training schools from the State Board of Education to the Department of Revenue. The vote was: Yeas 40; Nays 0.

SB 313 designates: (1) a portion of United States highway 69 as the Senator Tom R Van Sickle memorial highway; a bridge on K-126 as the Dennis Crain memorial bridge; a portion of United States highway 69 as the Walter Scott Brown memorial highway. The vote was: Yeas 40; Nays 0.

SB 336 would amend certain investment limitation requirements to increase the permissible investment options in equity interests and preferred stock for Kansas-domiciled life insurance companies. The vote was: Yeas 38; Nays 2. Sen. Longbine voted Yea.

SB 348 would exempt threading from the definition of cosmetology in law related to the licensure of cosmetologists. The bill would add the definition of threading to mean a method of temporary hair removal from the face or any part of the body by use of a strand of thread to pull hair from follicles. The vote was: Yeas 34; Nays 6. Sen. Longbine voted Yea.

SB 362 would require local school boards to annually review state academic assessments and utilize such assessments and the school district’s building needs assessment when reviewing and approving the school district’s budget. The vote was: Yeas 35; Nays 3; Present and Passing 2. Sen. Longbine voted Yea.

SB 366 would amend the definition of the crime of burglary by expanding the locations in which a person may not, without authority, enter or remain. The vote was: Yeas 39; Nays 1. Sen. Longbine voted Yea.

SB 367 would make various amendments to the statute governing custody and disposition of property seized by law enforcement. The vote was: Yeas 40; Nays 0.

SB 368 would amend the definition of “sexually violent crime” in the Kansas Offender Registration Act to include the crimes of internet trading in child pornography and aggravated internet trading in child pornography. The vote was: Yeas 40; Nays 0.

SB 373 would appropriate $500,000 from the State General Fund for the fiscal year ending June 30, 2022, to the University of Kansas Medical Center for use at the Midwest Stem Cell Therapy Center. The vote was: Yeas 23; Nays 17. Sen. Longbine voted Nay.

SB 382 would amend the Real Estate Brokers’ and Salespersons’ License Act. The vote was: Yeas 38; Nays 2. Sen. Longbine voted Yea.

SB 385 would amend the definition of “sex offender” in the Kansas Offender Registration Act to include any person who is convicted of breach of privacy as defined in the bill. The vote was: Yeas 40; Nays 0.

SB 395 would create law concerning the authority of Kansas Department of Wildlife and Parks to conduct surveillance on private property. The vote was: Yeas 30; Nays 9; Present and Passing 1. Sen. Longbine voted Yea.

SB 399 would amend the Health Care Provider Insurance Availability Act by adding maternity center to the definition of a health care provider in the Act. The vote was: Yeas 40; Nays 0.

Sub. for SB 400 would amend the Kansas Uniform Trust Code to add to the list of trust matters that could be resolved by a nonjudicial settlement agreement, to increase the limit on the total value of a trust before a trustee could seek to terminate such trust as being non-economic, and to amend the definition of a “resident trust.” The vote was: Yeas 40; Nays 0.

SB 405 would authorize and direct the Executive Director of the Kansas Historical Society to convey by quitclaim deed, a 0.52-acre parcel of land in Johnson County to the Shawnee Tribe. The vote was: Yeas 40; Nays 0.

SB 408 would amend the definition of the crime of theft to make theft of property that is mail of the value of less than $1,500 from three separate locations within a period of 72 hours as part of the same act or transaction, or in two or more acts or transactions connected together or constituting parts of a common scheme or course of conduct, a severity level 9 nonperson felony.

The vote was: Yeas 40; Nays 0.

SB 417 would establish new permit renewal fee limitations for solid waste disposal areas and solid waste processing facilities that are regulated by the federal standards for the disposal of coal combustion residuals. The vote was: Yeas 39; Nays 1. Sen. Longbine voted Yea.

SB 419 would create and amend provisions in the Kansas Law Enforcement Training Act regarding certain employees of the Kansas Department of Corrections. The vote was: Yeas 40; Nays 0.

SB 421 would transfer $253.9 million from the State General Fund directly to the Kansas Public Employees System (KPERS) Trust Fund to pay off outstanding accounts receivable for KPERS-School employer contributions withheld in FY 2017 and FY 2019. The vote was: Yeas 40; Nays 0.

SB 425 would amend a law governing access, exchange, and disclosure of information in the Revised Kansas Code for Care of Children to require the Secretary for Children and Families to disclose confidential agency records of a child alleged or adjudicated to be a child in need of care to the law enforcement agency investigating the alleged or substantiated report or investigation of abuse or neglect, regardless of the disposition of such report or investigation. The vote was: Yeas 40; Nays 0.

SB 434 would amend a statute in Kansas Open Records Act governing procedures for obtaining access to public records that contain captured license plate data or that pertain to the location of an automated license plate recognition system. On roll call, the vote was: Yeas 39; Nays 1. Sen. Longbine voted Yea.

SB 435 would amend law regarding the jurisdiction and powers of law enforcement officers The vote was: Yeas 38; Nays 1; Present and Passing 1. Sen. Longbine voted Yea.

SB 440 would authorize occupational therapists to provide limited services to patients without referral from a health care provider and amend the Occupational Therapy Practice Act.

The vote was: Yeas 37; Nays 2; Present and Passing 1. Sen. Longbine voted Yea.

SB 441 would enact the Biological Laboratory Accident Transparency Act. The vote was: Yeas 21; Nays 19. Sen. Longbine voted Nay.

SB 443 would appropriate $332.2 million from the State General Fund (SGF) to the Department of Administration in FY 2022 to pay off the remaining balance of two series of callable bonds ahead of the final maturity dates in FY 2035. The vote was: Yeas 40; Nays 0.

SB 448 would amend the state Unfair Trade Practice Law to exempt additional practices from those practices considered to be unfair or deceptive acts or practices in the business of insurance that relate to unfair discrimination and rebates. The vote was: Yeas 36; Nays 1; Present and Passing 3. Sen. Longbine voted Yea.

Sub. for SB 450 would enact law and amend law relating to the sale of certain state real property. The vote was: Yeas 38; Nays 2. Sen. Longbine voted Yea.

SB 453 would amend statute concerning training for certified aides to work in adult care homes to allow licensed practical nurses to teach certain training courses. The vote was: Yeas 40; Nays 0.

SB 457 would amend the Kansas Code of Criminal Procedure to require a magistrate to order, as a condition of release for any person charged with a felony, that the person consents to extradition to Kansas and waives all procedures incidental to extradition proceedings. The vote was: Yeas 40; Nays 0.

SB 483 would amend the crimes of theft and aggravated criminal damage to property to address theft or criminal damage to remote service units, as defined by the bill.

The vote was: Yeas 40; Nays 0.

SB 493 would prohibit municipalities from adopting or enforcing an ordinance, resolution, or regulation that restricts, taxes, prohibits, or regulates the use of auxiliary containers. The bill would define “auxiliary container” as a bag, cup, package, container, bottle, device, or other packaging, without limitation. Such auxiliary containers could be made out of cloth, paper, plastic, foamed plastic, expanded plastic, cardboard, corrugated material, aluminum, glass, postconsumer recycled material, or any similarly coated or laminated material.

The vote was: Yeas 27; Nays 13. Sen. Longbine voted Yea.

Both houses voted to resume Tuesday, March 1.

Turnaround Day was February 24, the last day to consider non-exempt bills in the house of origin.

Bill descriptions and daily journals of the Kansas Legislature can be accessed through the Legislature website: http://www.kslegislature.org/

 *This report was prepared by the League of Women Voters of Emporia Legislators Vote Tracking Committee: Bob Grover, Doug McGaw, Mary McGaw, Gail Milton, and Susan Fowler.*

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