

Journal of the Senate

FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 16, 2025, 2:30 p.m.

The Senate was called to order by Vice President Tim Shallenburger.
The roll was called with 38 senators present.
Senators J.R. Claeys and Titus were excused.

Vice President Shallenburger introduced guest chaplain, Doug Henkle who delivered the following invocation:

Lord God, I ask that You fill this chamber with Your spirit of hope in anticipation of what You will do in this 2025 legislative session in and through the Kansas Senate for Your glory and the betterment of all Kansans.

Cause these Senators to value the days together and the opportunity for relationships developed here, within the caucuses and across the aisle, despite differing perspectives regarding the matters at hand. Give each Senator an appreciation for the uniqueness of one another and for the different approaches to the legislation before them.

Heavenly Father, You care about the debate that will occur on the floor of this chamber in the weeks ahead. I pray that You would cause a bond of common purpose, the welfare of the citizens of Kansas, to unite this body and that Your peace, which is far beyond our understanding, would be over the Kansas Senate today and in the days ahead. Cause these senators to argue strongly held, differing positions in a diplomatic and honorable way to the best of their ability, striving for mutually satisfactory resolution.

I, again, lift up Chaplain Washington to You. Father, please heal his body and ease his pain. I pray for President Masterson, Vice President Shallenburger, Majority Leader Blasi and Minority Leader Sykes. Give them Your wisdom, insight, and direction as they lead this chamber.

Father, I thank You for the hope we have in You. Fill the Kansas Senate with Your peace and Your wisdom, In Jesus' Name, Amen.

The Pledge of Allegiance was led by Vice President Shallenburger.

POINT OF PERSONAL PRIVILEGE

Senator Faust Goudeau rose on a Point of Personal Privilege to speak in remembrance of the 60th Anniversary of the January 16, 1965 Piatt Street Plane Crash in Wichita, Kansas. Mark McCormick, a relative of the Daniels Family who lost their lives in the crash, was recognized on the senate floor.

POINT OF PERSONAL PRIVILEGE

Senator Haley rose on a Point of Personal Privilege to share remarks extolling the Martin Luther King Jr. Holiday as a uniquely United States of America holiday, not belonging to one political party or another nor one race or creed or religion or another, but which all Senators should share with our constituencies belonging to us all. Today marks the 31st time in an annual Legislative Floor Remark from Senator (former Representative) Haley, urging continued movement ever closer towards freedom from unwarranted prejudices and discrimination.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 12, AN ACT concerning the power of eminent domain; relating to the exercise of such power by municipalities for recreational projects; requiring approval by each member of the governing body whose district territory includes the land being acquired; amending K.S.A. 26-201 and repealing the existing section, by Senator Shallenburger.

SB 13, AN ACT concerning the secretary of state; relating to the filing of public records with the secretary of state; eliminating the requirement for labor organizations to file such organization's constitution, bylaws and annual reports and fees associated with such filings; eliminating the requirement that business agents of labor organizations register and the fees and filings associated with such registration; eliminating requirements for the board of regents to file reciprocal agreements for use of educational facilities; eliminating the requirement for the secretary of revenue to file an annual report and lists of tax indebtedness and liabilities; eliminating the requirement that river bank easements be filed; eliminating requirements for warehousemen to be licensed by the secretary of state and for filing any associated records; amending K.S.A. 44-809, 44-810, 44-823, 74-3220, 74-3221, 75-5501, 79-6a14, 79-3233g, 82-165 and 82-169 and K.S.A. 2024 Supp. 79-3233b and 82a-220 and repealing the existing sections; also repealing K.S.A. 44-804, 44-805, 44-806, 44-806a, 44-807, 44-812, 75-4336, 75-4337, 82-163, 82-164 and 82-167, by Committee on Government Efficiency.

SB 14, AN ACT concerning the state budget; providing for a continuous budget until amended, lapsed or eliminated by the legislature; temporary reallocations; establishing conditions and limitations therefor, by Committee on Ways and Means.

SB 15, AN ACT concerning alcoholic beverages; relating to eligibility for licensure under the Kansas liquor control act and the club and drinking establishment act; authorizing the director of alcoholic beverage control to issue licenses to convicted felons when such conviction occurred more than 10 years prior to application for a license and a determination of sufficient rehabilitation is made; amending K.S.A. 41-2623 and K.S.A. 2024 Supp. 41-311 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 16, AN ACT concerning financial services; prohibiting discrimination by financial services companies on the basis of social credit score; requiring registered investment advisers to obtain written consent from clients prior to investing client moneys in mutual funds, equity funds, companies and financial institutions that engage in ideological boycotts, by Committee on Federal and State Affairs.

SB 17, AN ACT concerning traffic regulations; relating to the size, weight and loads of vehicles; excepting haulers of grain and other agricultural goods from gross weight

limitations for vehicles; amending K.S.A. 8-1909 and repealing the existing section, by Committee on Agriculture and Natural Resources.

SB 18, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the hunter nation distinctive license plate; decreasing the guarantee number of distinctive plates required for production; amending K.S.A. 2024 Supp. 8-1,141 and repealing the existing section; also repealing K.S.A. 2024 Supp. 8-1,141a, by Committee on Assessment and Taxation.

SB 19, AN ACT concerning public health; relating to medical care; enacting the conscientious right to refuse act; prohibiting discrimination against individuals who refuse certain medical interventions and creating a civil cause of action against entities who discriminate based upon such medical care refusal; revoking the authority of the secretary of health and environment to order individuals to isolate or quarantine and impose penalties for violations thereof; repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c, by Committee on Public Health and Welfare.

SB 20, AN ACT concerning insurance; reducing the number of board members appointed by the commissioner on certain insurance-related boards and the frequency of the meetings of the committee on surety bonds and insurance; amending K.S.A. 40-2102, 40-2109, 40-3116, 40-3413 and 75-4101 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 21, AN ACT concerning insurance; requiring that third-party administrators maintain separate fiduciary accounts for individual payors and not contain funds collected or held on behalf of multiple payors and disclose to the commissioner of insurance any bankruptcy petition filed by or on behalf of such administrator pursuant to chapter 9 or chapter 11 of the United States bankruptcy code; amending K.S.A. 40-3807 and 40-3809 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 22, AN ACT concerning insurance; relating to title insurance; requiring title agents to make their audit reports available for inspection upon request of the commissioner of insurance instead of submitting such reports annually; requiring the amount of surety bonds filed with the commissioner to be \$100,000; eliminating the controlled business exemption in certain counties; amending K.S.A. 40-1139 and K.S.A. 2024 Supp. 40-1137 and 40-2404 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 23, AN ACT concerning insurance; relating to unfair and deceptive acts or practices; requiring agents and insurers to respond to inquiries from the commissioner of insurance within 14 calendar days; authorizing certain rebate pilot programs to exceed one year in duration; amending K.S.A. 2024 Supp. 40-2404 and 40-4909 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 24, AN ACT concerning insurance; relating to the powers, duties and responsibilities of the commissioner of insurance; authorizing the commissioner of insurance to set the amount of certain fees; requiring the publication of certain fees in the Kansas register; amending K.S.A. 40-205a, 40-218, 40-252, 40-2,133, 40-504, 40-956, 40-22a04, 40-2604, 40-2702, 40-3213, 40-3304, 40-3812, 40-3813, 40-3814, 40-4103, 40-4116, 40-4323, 40-4334, 40-4503, 40-5003 and 40-5509 and K.S.A. 2024 Supp. 40-3823, 40-3824, 40-4209, 40-4302 and 40-4903 and repealing the existing sections; also repealing K.S.A. 40-3217, by Committee on Financial Institutions and Insurance.

SB 25, AN ACT concerning insurance; relating to property and casualty insurance; enacting the insurance savings account act; allowing individuals and corporations to establish insurance 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 commissioner of insurance; establishing addition and subtraction modifications under the Kansas income tax act; amending K.S.A. 2024 Supp. 79-32,117 and 79-32,138 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 26, AN ACT concerning sales taxation; relating to exemptions; providing a sales tax exemption for certain purchases by bowling centers; amending K.S.A. 2024 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 27, AN ACT concerning insurance; relating to the powers, duties and responsibilities of the commissioner; eliminating the requirement that the commissioner submit certain reports to the governor; removing certain specific entities from the definition of person for the purpose of enforcing insurance law; amending K.S.A. 40-108 and 40-2253 and K.S.A. 2024 Supp. 40-2,125 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 28, AN ACT concerning insurance; relating to licensing requirements for insurance agents and public adjusters; pertaining to suspension, revocation, denial of licensure and licensure renewal; amending K.S.A. 40-5510 and K.S.A. 2024 Supp. 40-4909 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 29, AN ACT concerning public health; relating to infectious or contagious diseases; enacting the constitutional right to health freedom act; revoking the authority of the secretary of health and environment and local health officers to order individuals to isolate or quarantine and impose penalties for violations thereof; creating a civil cause of action against employers for employees discharged for following isolation or quarantine recommendations or because of vaccination status; amending K.S.A. 65-116g, 65-118, 65-119, 65-128, 65-129b and 65-129d and K.S.A. 2024 Supp. 65-101, 65-202 and 72-5180 and repealing the existing sections; also repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c, by Committee on Public Health and Welfare.

SB 30, AN ACT concerning criminal history record information; relating to state and national criminal history record checks; requiring the secretary of labor to conduct such checks on employees who have access to federal tax information; amending K.S.A. 75-5702 and K.S.A. 2024 Supp. 22-4714 and repealing the existing sections, by Committee on Judiciary.

SB 31, AN ACT concerning health professions and practices; relating to the regulation of dentists; Kansas dental board; requiring that treating dentist information be given to patients upon request; prohibiting agreements that limit a patient's ability to file complaints; eliminating the minimum personal presence requirements of licensee in dental office using licensee's name; amending K.S.A. 65-1430, 65-1435, 65-1436 and 65-1467 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 32, AN ACT concerning insurance; relating to taxation; reducing insurance company premium tax rates; discontinuing remittance and crediting of a portion of the premium tax to the insurance department service regulation fund; amending K.S.A. 40-

112 and 40-252 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 33, AN ACT concerning sales taxation; relating to imposition of tax; excluding certain custom meat processing services from taxation; amending K.S.A. 2024 Supp. 79-3603 and repealing the existing section, by Committee on Assessment and Taxation.

SB 34, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; authorizing the board of trustees to invest up to 10% of the moneys of the Kansas public employees retirement fund in bitcoin exchange-traded products; providing requirements, limitations and definitions regarding such investments; amending K.S.A. 2024 Supp. 74-4921 and repealing the existing section, by Senator Bowser.

SB 35, AN ACT concerning property taxation; relating to tax levies; discontinuing the state tax levies for the Kansas educational building fund and the state institutions building fund; providing financing therefor from the state general fund; amending K.S.A. 76-6b01, 76-6b02, 76-6b04 and 76-6b11 and K.S.A. 2024 Supp. 76-6b05 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 36, AN ACT concerning conservation districts; relating to the financing of operating conservation districts; increasing the cap on the amount of moneys disbursed by the division of conservation to conservation districts; providing an increased matching basis for state moneys disbursed to conservation districts based on amounts allocated by the board of county commissioners for such districts; amending K.S.A. 2-1907c and repealing the existing section, by Committee on Agriculture and Natural Resources.

SB 37, AN ACT concerning cities; relating to planning and zoning; eliminating the authority of a city to adopt planning and zoning regulations for land located outside of such city; amending K.S.A. 12-749 and repealing the existing section; also repealing K.S.A. 12-715b, 12-715c and 12-715d, by Committee on Federal and State Affairs.

SB 38, AN ACT concerning the Kansas national guard; creating the defend the guard act; establishing when the national guard may be released into active duty combat, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 10**.

Public Health and Welfare: **SB 11**.

Transportation: **SB 8, SB 9**.

COMMUNICATIONS FROM STATE OFFICERS

The following reports were received by the Office of the Secretary of the Senate:

Health Care Commission 2024 Annual Report, Kansas Department of Administration

Federal Trade Commission PBM (Pharmacy Benefit Manager's) Trade Practices and the Status of the Prescription Drug Industry 2024 reports, Kansas Department of Insurance

Study on Licensed Microbrewery Compliance, Kansas Department of Revenue

Statewide Assessment Report, Kansas Department of Education

EMS Board 2024 Annual Report, Kansas Board of EMS

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 11** from the Committee on **Public Health and Welfare**, and referred the bill to the Committee on **Utilities**.

On motion of Senator Blasi, the Senate adjourned pro forma until 9:00 a.m. January 17, 2025.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

