

Journal of the Senate

EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 23, 2025, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 40 senators present.

President Masterson introduced guest chaplain, Doug Henkle, who delivered the invocation:

Gracious Lord, it is such a blessing, this afternoon, to see these forty men and women who are here to serve the people of Kansas. I pray that You would cause them to work in harmony to achieve the best for our state. I pray that each would offer astute and insightful reasoning for the legislation they are advancing and creative alternatives to that which they oppose.

Lord, you created us out of the laughter of the Trinity. We weren't made to be an army of one. You made us relational beings. Despite our high-tech world and efficient procedures, people remain the essential ingredient of life as You intended. A glib "Hi, how are ya?" must be replaced with genuine concern. Lord, I ask that You build and strengthen this chamber with relationships that honor You. Cause a bond of common purpose and concern for one another to unite this body as they pursue the best for our state.

I, again, lift up Chaplain Washington to You. Father, please ease his pain and heal his body. Bless him as he continues to care for his wife who is in failing health.

I pray for President Masterson, Vice President Shallenburger, Majority Leader Blasi and Minority Leader Sykes. Give them Your clear vision for all You want to accomplish in the Kansas Senate during this 2025 session. In Jesus' Name, Amen.

The Pledge of Allegiance was led by President Masterson.

POINT OF PERSONAL PRIVILEGE

Senator Alley rose on a Point of Personal Privilege in recognition of the 45-year public service career of Senator Eric Rucker. The senators honored Senator Rucker with a standing ovation.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 64, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; adjusting certain internal references; extending the time for filing administrative appeals; updating provisions relating to compliance with the federal internal revenue code; amending K.S.A. 74-4902 and 74-4904 and K.S.A. 2024

Supp. 74-49,123 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 65, AN ACT concerning irrigation districts; relating to the election of members of the board of directors thereof; specifying when such elections may be conducted by mail ballot; authorizing the board of directors to set the term for such elected members; amending K.S.A. 42-706 and repealing the existing section, by Committee on Federal and State Affairs.

SB 66, AN ACT concerning governmental ethics; relating to actions of certain local governmental officials affecting the development, construction and operation of major development projects; requiring such local governmental officials to disclose substantial interests in such projects; prohibiting such local governmental officials who have a substantial interest from acting on matters relating to such projects; amending K.S.A. 75-4301a, 75-4303a and 75-4306 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 67, AN ACT concerning health professions and practices; relating to the regulation of nursing; authorizing independent practice authority and the prescribing of drugs by registered nurse anesthetists; prohibiting the performance of an abortion or prescribing of drugs for an abortion thereby; amending K.S.A. 65-1158 and repealing the existing section, by Committee on Public Health and Welfare.

SB 68, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2025, June 30, 2026, and June 30, 2027, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2024 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-99b34, 75-5748, 76-775, 76-7,107, 79-2989, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections, by Committee on Ways and Means.

SB 69, AN ACT concerning economic development; relating to rural opportunity zones; extending the time period for eligibility for the loan repayment program and the income tax credit; amending K.S.A. 2024 Supp. 74-50,223 and 79-32,267 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 70, AN ACT concerning open government; relating to the open records act; providing for reasonable fees for electronic copies of records; exempting from disclosure formally closed investigations with no found violations; requiring district attorneys to file reports of violations with the attorney in December instead of January; relating to the open meetings act; determining the membership calculation of subordinate groups; requiring public bodies or agencies that live stream meetings to ensure that the public is able to observe; providing for a five minute deviation to resume an open meeting at the conclusion of executive sessions; amending K.S.A. 45-219, 75-7d01, 75-753, 75-4318 and 75-4319 and K.S.A. 2024 Supp. 45-221 and repealing the existing sections, by Committee on Judiciary.

SB 71, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against public morals; requiring certain offenders to complete an educational or treatment program regarding commercial sexual exploitation and requiring the attorney general to approve such programs in consultation with the office of judicial administration; removing provisions regarding city ordinances prohibiting buying sexual relations; increasing the penalties for buying sexual relations; removing

provisions regarding counting prior convictions for purposes of enhancing penalties; amending K.S.A. 12-4106, 12-4120, 12-4416, 21-5426, 21-6421, 21-6422 and 22-2909 and repealing the existing sections, by Committee on Judiciary.

SB 72, AN ACT concerning income taxation; relating to the Kansas housing investor tax credit; providing for transferability of credits from the year that the credit was originally issued; amending K.S.A. 2024 Supp. 79-32,313 and repealing the existing section, by Committee on Assessment and Taxation.

SB 73, AN ACT concerning property taxation; relating to certifications and tax statements; modifying deadlines for mailing tax statements to taxpayers and certification of levies to the director of property valuation to be earlier than the current deadlines; providing for the county clerk's use of the previous year's budget when a taxing subdivision fails to timely file its budget; amending K.S.A. 79-1806 and K.S.A. 2024 Supp. 79-2001 and 79-2930 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 74, AN ACT concerning income taxation; relating to credits; providing a refundable tax credit for expenditures for lockable gun and ammunition storage, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 58**.

Assessment and Taxation: **SB 59**.

Federal and State Affairs: **SB 56; SCR 1605**.

Financial Institutions and Insurance: **SB 55**.

Judiciary: **SB 60, SB 61, SB 62**.

Public Health and Welfare: **SB 63**.

Utilities: **SB 57**.

President Masterson referred **HCR 5003** to the Committee of the Whole.

REFERENCE OF APPOINTMENTS

The following appointment was referred to Committee as indicated:

Federal and State Affairs: **Carlin Williams**, Brigadier General, Kansas National Guard.

COMMUNICATIONS FROM STATE OFFICERS

The following report was received by the Office of the Secretary of the Senate:
2025 Electric Supply and Demand Report, Kansas Corporation Commission

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5003**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HCR 5003 was thereupon introduced and read by title.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointments submitted to the Senate for confirmation were considered:

Senator Blasi moved the following appointments:

By the Governor

On the appointment to the:

State Banking Board:

Taylor Hight, Term ends March 15, 2027

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Herbert Iams, Term ends March 15, 2027

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Lottery Commission:

Margaret La Rue, Term ends March 15, 2028

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Office of the Child Advocate:

Kerrie Lonard, Term ends June 30, 2028

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Irvin Mitchell, Term ends March 15, 2026

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Racing and Gaming Commission:

David Moses, Term ends January 15, 2028

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Long Term Care Ombudsman:

Haely Ordoyne, Term ends January 15, 2028

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware, Warren.

The appointment was confirmed.

By the Attorney General

On the appointment to the:

Kansas Crime Victims Compensation Board:

Richard Samaniego, Term ends March 15, 2028

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas National Guard:

Paul Schneider, At the pleasure of the governor

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Human Rights Commission:

Christal Watson, Term ends January 15, 2028

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Leonard Wolfe, Term ends March 15, 2026

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware, Warren.

The appointment was confirmed.

REPORTS OF STANDING COMMITTEES

The Committee on **Assessment and Taxation** recommends **SB 10** be amended on page 1, by striking all in line 18; in line 19, after "equipment" by inserting "; and

(5) any aircraft";

Also on page 1, in line 21, after "(1)" by inserting "'Aircraft" means any airplane, helicopter or other machine capable of flight;

(2)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 1, in the title, in line 3, by striking "and" and inserting a comma; also in line 3, after "trailers" by inserting "and aircraft"; and the bill be passed as amended.

Also, **SB 35** be amended on page 2, in line 18, by striking "\$50,000,000" and inserting "\$56,000,000"; in line 22, by striking "2% of \$50,000,000" and inserting "a percentage of such amount for the preceding year"; in line 24, after the first period by inserting "Such percentage shall be the average percentage change in statewide residential valuation of all residential real property for the preceding 10 years and shall not be less than zero. The director of property valuation, in consultation with the director of legislative research and the director of the budget, shall determine such percentage and the amount of moneys that are authorized to be transferred pursuant to this subsection for such fiscal year. On or before February 1, 2027, and on or before February 1 of each year thereafter, the director of property valuation shall certify the amount of each transfer to the director of accounts and reports and transmit a copy of each such certification to the director of legislative research and the director of the budget."; and the bill be passed as amended.

SCR 1603 be amended on page 2, in line 5, after the semicolon by inserting "or"; in line 11, by striking all after "law"; by striking all in line 12; in line 13, by striking all before the period; in line 14, before "The" by inserting "The benefits of the valuation limitation shall remain in place whenever title to the property is transferred, changed or conveyed to another person or entity, unless the legislature enacts provisions that provide for exceptions. For property that is subject to the valuation limitation, the final taxable appraised value each year shall be the appraised value of the property determined as otherwise provided by law without the application of the valuation limitation provisions or the limited appraised value of the property determined by the application of the valuation limitation provisions, whichever is less."; in line 15, by striking "All"; by striking all in lines 16 through 18;

On page 4, in line 6, by striking the second comma and inserting "or"; in line 7, by striking all after "changes"; in line 8, by striking all before the period; in line 18, by striking the comma and inserting "or"; also in line 18, by striking "or"; by striking all in line 19; in line 20, by striking all before the period; also in line 20, after the period by inserting "The amendment would provide for the benefits of the valuation limitation to remain in place whenever title to the property is transferred, changed or conveyed to another person or entity, unless the legislature enacts provisions that provide for exceptions. The amendment would clarify that for property subject to the valuation limitation, the final taxable appraised value each year would be the appraised value of the property determined without the application of the valuation limitation provisions or the limited appraised value of the property determined by the application of the valuation limitation provisions, whichever is less."; in line 22, by striking "The"; by

striking all in lines 23 through 26; and the resolution be adopted as amended.

Committee on **Federal and State Affairs** recommends **SB 4** be passed.

On motion of Senator Blasi, the Senate adjourned pro forma until 9:00 a.m. January 24, 2025.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

