

# Journal of the Senate

## THIRTEENTH DAY

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

The Senate was called to order by Vice President Tim Shallenburger.

The roll was called with 39 senators present.

Senator J.R. Claeys was excused.

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

Loving Heavenly Father, our hearts are heavy today for the families and loved ones of those who perished in the collision of American flight 5342 and the military helicopter. I pray that You would hold them close in Your warm embrace. Certainly, the sudden loss and grief is overwhelming. Comfort them as only You can.

Thank You for those who sprang into action, with little regard for their own personal comfort and safety, as they attempted rescue. Bless them and give them favor in the recovery operation as now the lengthy process of closure begins for so many.

Lord, this tragedy reminds us of the uncertainty of life and can cause us to reflect our own mortality. Make us mindful of the certainty we can have in You and the peace and comfort that You can give us.

Jesus, we ask that You hold Chaplain Washington close as he continues to care for his wife, Audrey, in the hospital. Give him Your direction as he considers the next step in her care and recovery process.

I pray for President Masterson, Vice President Shallenburger, Majority Leader Blasi and Minority Leader Sykes. Give them, each, Your wisdom, Your insight and direction, Your Grace as they lead the Kansas Senate. In Jesus' Name, Amen.

The National Anthem was sung by Haylie Bagwell, guest of Senator Tyson.

### **SPECIAL REMARKS**

In District 26, I have the honor of representing our state's largest and busiest airport, Eisenhower National Airport. Last night, a devastating tragedy struck our community as 64 souls departed Wichita for our nation's capital. Among them were participants returning from the US National Figure Skating Championship, an event we were privileged to host last week for the first time. As we come to grips with the heart-wrenching news that an Army Blackhawk helicopter carrying three soldiers collided with the aircraft, we are reminded how life is so delicate. Many of us have taken that flight numerous times since its inaugural journey in January of 2024, making this incident all the more personal and sobering. I believe I speak for the entire Senate when I offer my gratitude to the hundreds of emergency responders who swiftly responded to

this tragedy in search for Kansans and all passengers. While the passengers on Flight 5342 never reached their destination, they have landed in a place better than we know, with God. In the face of this unimaginable sorrow, may we find solace in our faith and the enduring strength of our community and state. Our prayers are with the families and friends of the victims who lost loved ones, and we stand united in our shared grief and resolve to support one another through this challenging time.—CHASE BLASI

Senators Alley, Argabright, Billinger, Blew, Bowers, Bowser, Joseph Claey, Clifford, Corson, Dietrich, Erickson, Faust Goudeau, Francisco, Klemp, Masterson, Murphy, Owens, Petersen, Rose, Ryckman, Schmidt, Shallenburger, Starnes, Sykes, Thompson, Tyson, Ware and Warren requested to join the remarks offered by Senator Blasi.

#### **POINT OF PERSONAL PRIVILEGE**

Senator Ryckman rose on a Point of Personal Privilege and delivered the following remarks: “Mr. Vice President, it is my honor and privilege to introduce to the Senate a fine young group of 14 student visitors from my 38th District, all 7th and 8th graders from Montezuma Mennonite School. They are here today in conjunction with their study of history and government in our State, hopefully to learn how the Legislature works! Seated in the VIP gallery to the left of the dais - and I will ask each to stand as his or her name is called - are Dillon and Blake Nichols; Dema Yost; Brooklyn Hibbs; Jarett Salisbury; and all with the same last name “Koehn,” which is very popular and familiar out there: Landon; Russell; Parker; Morgan; Keela; Holly; Rilla; Tynan; and Tate. They are led by their organizer, Bryan Koehn, and accompanied by 23 parents and mentors watching from overhead in the Visitor’s Gallery behind me. Would you parents please stand as well and be recognized as we join in welcoming you all to our Chamber today? Thank you for making the long trip to be here!”

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**SB 112**, AN ACT concerning cities and counties; relating to the issuance of building permits; prohibiting cities and counties from requiring land as part of a right-of-way as a condition for issuing a building permit unless the property owner consents and is paid fair compensation, by Committee on Local Government, Transparency and Ethics.

**SB 113**, AN ACT concerning traffic regulations; relating to reckless driving; including operating a motor vehicle at a speed of 100 miles per hour or more and 35 miles per hour over the posted speed limit under the crime of reckless driving; amending K.S.A. 8-254 and 8-1566 and repealing the existing sections, by Committee on Transportation.

**SB 114**, AN ACT concerning education; relating to certain ancillary school district activities; authorizing nonpublic school students and virtual school students to participate in such activities; making it unlawful for a school district or the state high school activities association to discriminate against such students based on enrollment status; amending K.S.A. 2024 Supp. 72-7121 and repealing the existing section, by Committee on Education.

**SB 115**, AN ACT concerning precious metals; relating to gold and silver bullion and specie; enacting the Kansas bullion depository act; authorizing the state treasurer to

establish, administer or contract for the administration of bullion depositories; allowing state moneys to be deposited in such bullion depositories and invested in specie legal tender; amending K.S.A. 2024 Supp. 75-4209 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 116**, AN ACT concerning crimes, punishment and criminal procedure; relating to jailhouse witness testimony; requiring prosecutors to disclose their intent to introduce testimony from a jailhouse witness and to forward related information to the Kansas bureau of investigation, by Committee on Federal and State Affairs.

**SB 117**, AN ACT concerning aviation; relating to economic development; expanding the property tax exemption for Strother field airport property; amending K.S.A. 79-201r and repealing the existing section, by Committee on Commerce.

**SB 118**, AN ACT concerning members of the legislature; imposing conditional term limits; requiring nomination by petition for any legislator seeking reelection after having served the maximum number of terms; amending K.S.A. 25-205 and repealing the existing section, by Senators Shallenburger, Argabright, Bowser, Clifford, Gossage, Holscher, Klemp, Murphy, Owens, Peck, Rose, Shane, Starnes, Sykes and Thomas.

**SB 119**, AN ACT concerning motor vehicles; relating to license application and certificate of title fees; increasing the amount of fees retained by the county treasurer, the division of vehicles or a contractor for processing motor vehicle license applications and certificate of titles; amending K.S.A. 2024 Supp. 8-145 and repealing the existing section, by Committee on Transportation.

**SB 120**, AN ACT concerning municipalities; enacting the Kansas municipal employee whistleblower act; establishing legal protections for certain municipal employees who report or disclose unlawful or dangerous conduct, by Senator Shallenburger.

**SB 121**, AN ACT concerning insurance; relating to the regulation thereof; authorizing the commissioner of insurance to select and announce the version of certain instructions, calculations and documents in effect for the upcoming calendar year and cause such announcement to be published in the Kansas register; allowing certain life insurers to follow health financial reports; adopting certain provisions from the national association of insurance commissioners holding company system regulatory act relating to group capital calculations and liquidity stress testing; amending K.S.A. 40-2d01, 40-3302, 40-3305, 40-3306, 40-3307 and 40-3308 and K.S.A. 2024 Supp. 40-2c01 and repealing the existing sections; also repealing K.S.A. 40-249 and 40-2c29, by Committee on Financial Institutions and Insurance.

**SB 122**, AN ACT concerning traffic regulations; prohibiting the use of an electronic communications device while operating a motor vehicle; providing a penalty for unlawful use of an electronic communications device, by Senator Holscher.

**SB 123**, AN ACT concerning education; relating to the state board of education; providing for reimbursements to local school boards for reduced price school meals; prohibiting local school boards from collecting money for such meals; amending K.S.A. 72-17,137 and repealing the existing section, by Senator Holscher.

**SB 124**, AN ACT concerning cities; relating to unilateral annexations; imposing restrictions on such annexations; expanding the causes of action for landowners to challenge such annexations; amending K.S.A. 12-520 and 12-538 and repealing the existing sections, by Committee on Local Government, Transparency and Ethics.

**SB 125**, AN ACT concerning certain claims against the state; making appropriations; authorizing certain transfers; imposing certain restrictions and limitations; directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Committee on Joint Committee on Special Claims Against the State.

**SB 126**, AN ACT concerning the healing arts; relating to physician assistants; enacting the physician assistant licensure compact to provide interstate practice privileges, by Committee on Public Health and Welfare.

**SB 127**, AN ACT concerning the rules of evidence; relating to hearsay; expanding the exception to the hearsay rule for statements made to a physician to other healthcare providers; amending K.S.A. 2024 Supp. 60-460 and repealing the existing section, by Committee on Judiciary.

**SB 128**, AN ACT concerning social workers; relating to attorney-client privilege; creating an exception to certain mandatory reporting obligations for licensed social workers when working under the supervision of an attorney; permitting attorneys to require certain licensed social workers to keep ethical obligations of attorney-client privilege when working under the supervision of such attorney; amending K.S.A. 38-2224, 39-1402, 39-1403, 39-1431, 39-1432 and 65-6315 and K.S.A. 2024 Supp. 38-2223 and repealing the existing sections, by Committee on Judiciary.

**SB 129**, AN ACT concerning judges; relating to retirement ages; raising the retirement age of district magistrate judges regularly admitted to practice law in Kansas serving in counties with 10,000 or fewer people; amending K.S.A. 20-2608 and repealing the existing section, by Committee on Judiciary.

**SB 130**, AN ACT concerning agriculture; relating to the Kansas pet animal act; updating provisions for operating an animal shelter or pound; making changes to certain defined terms; modifying authority pertaining to refusal to issue or renew and the modification, limitation, suspension or revocation of any license or permit; providing for making immediate actions to protect the public interest; requiring the posting of a cash or security bond to pay for the costs of caring for a seized or impounded pet animal; requiring certain licensees that cease to engage in licensed activity to notify the commissioner at least 10 days prior to ceasing business, or if extenuating circumstances exist, not later than the date such activity ceases; requiring a closing inspection to confirm that licensed activity has ceased prior to expiration of the license period; requiring certain additional rules and regulations; increasing the maximum amount of certain fees; clarifying the conditions required for a licensed veterinarian to act as or be a boarding or training kennel operator; changing the date during which a licensee or permit holder that is in the process of ceasing to do business may be issued a temporary closing permit; amending K.S.A. 47-1701, 47-1704, 47-1706, 47-1706a, 47-1707, 47-1709, 47-1712, 47-1715, 47-1721, 47-1723 and 47-1732 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

**SB 131**, AN ACT concerning energy; relating to the state corporation commission; requiring the commission to establish and enforce a code of conduct and agricultural mitigation protocols for the development, construction, operation and decommissioning of certain large energy facilities in rural areas of the state, by Committee on Utilities.

**SB 132**, AN ACT concerning child care; relating to licensure of day care facilities, child care homes and child care centers; reducing license fees and training requirements; creating a process for day care facility licensees to apply for a temporary waiver of certain statutory requirements; authorizing the secretary of health and

environment to develop and operate pilot programs to increase child care facility availability and capacity; establishing the Kansas office of early childhood; transferring administration of day care licensing, parent education programs and the child care subsidy program to the Kansas office of early childhood; creating the day care facilities and child care resource and referral agencies licensing fee fund and the day care criminal background and fingerprinting fund; defining youth development programs; amending section 1, as enacted by this act, section 3, as enacted by this act, section 5, as enacted by this act, section 7, as enacted by this act, section 9, as enacted by this act, section 11, as enacted by this act, section 13, as enacted by this act, section 15, as enacted by this act, K.S.A. 38-1901, 38-2103, 65-504, 65-505, 65-508, 65-508, as amended by section 54 of this act, 65-512, 65-527, 65-531, 72-4161, 72-4162, 72-4163, 72-4164 and 72-4166 and K.S.A. 2024 Supp. 48-3406, 65-503, 65-503, as amended by section 50 of this act, and 65-516 and repealing the existing sections. , by Committee on Federal and State Affairs.

**SB 133**, AN ACT concerning crimes, punishment and criminal procedure; relating to firearms; enacting the responsible gun ownership act; establishing the crime of unlawful storage of a firearm; providing penalties for violations thereof, by Senator Holscher.

**SB 134**, AN ACT concerning education; relating to employment files of teachers employed by a school district; authorizing school districts to request and receive an applicant teacher's employment files from another school district if such teacher was previously employed by such other school district; establishing which school district is responsible for and the custodian of teacher employment files under the Kansas open records act; amending K.S.A. 2024 Supp. 45-220 and repealing the existing section, by Committee on Education.

**SB 135**, AN ACT concerning certain protection orders; relating to the protection from abuse act; providing precedence of child-related orders issued under the protection from abuse act; amending K.S.A. 2024 Supp. 60-3107 and repealing the existing section, by Committee on Judiciary.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Assessment and Taxation: **SB 103, SB 107, SB 108, SB 109.**

Federal and State Affairs: **SB 100, SB 105; SCR 1607, SCR 1608.**

Government Efficiency: **SB 99.**

Judiciary: **SB 110, SB 111.**

Local Government, Transparency and Ethics: **SB 104.**

Public Health and Welfare: **SB 102.**

Senate Select Committee on Veterans Affairs: **SB 106.**

Transportation: **SB 97, SB 98.**

Ways and Means: **SB 101.**

## INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator Bowers introduced the following Senate resolution, which was read:

**SENATE RESOLUTION No. 1707—**

A RESOLUTION designating January 30, 2025, as JAG-K Day at the Capitol.

WHEREAS, Jobs for America's Graduates-Kansas (JAG-K) is a 501(c)(3) not-for-profit organization that partners with public schools, communities and employers to help students overcome challenges and prepare for successful futures; and

WHEREAS, JAG-K is an evidence-based program with objective performance measures; and

WHEREAS, In a small group-classroom setting, students explore career opportunities and learn

the skills necessary to successfully transition to postsecondary education, military service or the workforce following their graduation; and

WHEREAS, In 2024-2025, there are 114 JAG-K programs, including focused programming for system-involved youth who are unable to participate in the traditional school-to-career programs; and

WHEREAS, JAG-K had a statewide graduation rate of 98% for the Class of 2024; and

WHEREAS, JAG-K students are in the Capitol today, meeting with Legislators about this successful program: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we recognize January 30, 2025, as JAG-K Day at the Capitol; and

*Be it further resolved:* That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Bowers.

On emergency motion of Senator Bowers **SR 1707** was adopted by voice vote.

**COMMUNICATIONS FROM STATE OFFICERS**

The following report was received by the Office of the Secretary of the Senate:

Kansas Guardianship Program FY 2024 Annual Report, Kansas Guardianship Program

**COMMITTEE OF THE WHOLE**

On motion of Senator Blasi, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Peck in the chair.

On motion of Senator Peck the following summary report was adopted:

**HCR 5003** be adopted as amended by Committee of the Whole.

**COMMITTEE OF THE WHOLE ACTIONS**

**HCR 5003** be amend by motion of Senator Shallenburger; on page 4, in line 40, by striking ", except that"; by striking all in line 41; in line 42, by striking all before the period

**EMERGENCY FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

On motion of Senator Blasi an emergency was declared by a 2/3 constitutional majority, and **HCR 5003** was advanced to Final Action and roll call.

**HCR 5003**, A CONCURRENT RESOLUTION adopting joint rules for the Senate and the House of Representatives for the 2025-2026 biennium.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 0; Absent or Not

Voting 2.

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

Nays: Alley, Tyson.

Absent or Not Voting: J.R. Claeys, Gossage.

The resolution was adopted, as amended.

**REPORT ON ENROLLED BILLS, CONCURRENT AND SENATE RESOLUTIONS**

**SR 1705** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 30, 2025.

**REPORTS OF STANDING COMMITTEES**

Committee on **Agriculture and Natural Resources** recommends **SB 36** be passed.

Committee on **Transportation** recommends **SB 9** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Blasi, the Senate adjourned pro forma until 9:00 a.m. January 31, 2025.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

