

Journal of the Senate

TWENTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 13, 2025, 2:30 p.m.

The Senate was called to order by Vice President Tim Shallenburger.
The roll was called with 37 senators present.
Senators J. R. Claeys, Masterson and Ware were excused.
Vice President Shallenburger introduced guest chaplain, Doug Henkle, who delivered the following invocation:

Sovereign Lord, thank You for the beauty of the recent snowfall and the minimal effect it had on our safety. But Father, bitter cold has come with it. I ask that You would protect and sustain the farmers and ranchers in our state as they break ice and feed hay, caring for their livestock in the harsh winter weather this week and the week ahead.

And Lord, I pray that You would protect the homeless through the single digit days and the sub-zero nights now and in the coming week. Direct them to warming shelters before the temperatures take their toll, I ask that You would provide all the workers that are needed to serve in the warming shelters, as so many of them are ill at this time. Father, please don't let us take for granted our warm homes and all the wonderful ways in which we are cared for.

As turn-around approaches next week, Father, give each senator peace and direction and a sense of priority. Show them what can be and ought to be done and how to achieve it. I ask that each comment offered, every question asked, each vote cast would be for the betterment of our beloved state and to Your glory.

I rejoice with President Masterson as he celebrates the birth of a new grandson. I lift up Vice President Shallenburger, Majority Leader Blasi, and Minority Leader Sykes to You today. Give them Your insight, Your wisdom and discernment.

In Jesus' Name, Amen.

The Pledge of Allegiance was led by Vice President Shallenburger.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 265, AN ACT concerning days of commemoration; designating November 14 of each year as Ruby Bridges walk to school day in the state of Kansas, by Committee on Federal and State Affairs.

SB 266, AN ACT concerning energy; relating to electric transmission development; requiring legislative approval prior to the construction of high-impact electric transmission lines; amending K.S.A. 66-1,177 and 66-1,178 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 267, AN ACT concerning sales taxation; relating to definitions and exemptions; modifying the definition of alcoholic beverages; providing exemptions for certain services purchased on behalf of a provider in the provision of communication services and certain purchases by the Kansas fairgrounds foundation; amending K.S.A. 2024 Supp. 79-3602 and 79-3606 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 268, AN ACT concerning income taxation; relating to Kansas adjusted gross income; clarifying modifications for certain business interest expenses and federal net operating loss carrybacks; providing a technical change to a statutory cross reference for recaptured moneys related to adoption savings accounts; amending K.S.A. 2024 Supp. 38-2504 and 79-32,117 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 269, AN ACT concerning taxation; relating to the state board of tax appeals; prohibiting a filing fee when a previous appeal remains pending before the board; amending K.S.A. 74-2438a and repealing the existing section, by Committee on Assessment and Taxation.

SB 270, AN ACT concerning education; relating to the Kansas educator registered apprenticeship grant program; authorizing grants awarded under such program to be made twice per year and at the time that tuition and fees are due; amending K.S.A. 2024 Supp. 74-50,234 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **HB 2085**.

Assessment and Taxation: **SB 259**.

Commerce: **HB 2092**.

Education: **SB 263**.

Federal and State Affairs: **SB 258, SB 260, SB 261**.

Public Health and Welfare: **SB 264**.

Ways and Means: **SCR 1612**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2027**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2027 was thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **SB 51** be passed.

Committee on **Federal and State Affairs** recommends **SB 105** be amended on page 1, in line 16, by striking "two" and inserting "three"; in line 21, after the period by inserting "Except as otherwise provided,"; in line 24, after the period by inserting "If the vacancy occurs on or after May 1 in an even-numbered year, then such vacancy shall be filled by election at the election of representatives in congress held two years following the year in which such vacancy occurs."; following line 32, by inserting:

"(c) No person appointed pursuant to subsection (a) shall take office unless such

appointment is certified by the secretary of state to the United States senate. The secretary shall not certify any person as being appointed to fill a vacancy in the office of United States senator unless such person is appointed in accordance with this section.";

On page 2, in line 1, by striking all after the period; by striking all in line 2; in line 3, by striking all before "The"; in line 24, after "(b)" by inserting "Of the members named or appointed under subsections (a)(1), (a)(2), (a)(5) and (a)(7), each of this state's congressional districts shall be represented by at least one such member who shall be a resident thereof. Of the members named or appointed under subsections (a)(3), (a)(4), (a)(6) and (a)(8), each of this state's congressional districts shall be represented by at least one such member who shall be a resident thereof.

(c)";

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

On page 3, in line 10, after the period by inserting "No member of the joint committee shall be recommended as a candidate to fill the vacancy."; in line 25, after the period by inserting "(a)"; in line 29, by striking "two" and inserting "three"; following line 42, by inserting:

"(b) No person appointed pursuant to subsection (a) shall take office unless such appointment is certified by the secretary of state. The secretary shall not certify any person as being appointed to fill a vacancy in the office of treasurer for the state of Kansas unless such person is appointed in accordance with this section.";

On page 4, in line 1, before "At" by inserting "(a)"; in line 5, by striking "two" and inserting "three"; following line 18, by inserting:

"(b) No person appointed pursuant to subsection (a) shall take office unless such appointment is certified by the secretary of state. The secretary shall not certify any person as being appointed to fill a vacancy in the office of commissioner of insurance for the state of Kansas unless such person is appointed in accordance with this section.

New Sec. 7. The provisions of sections 1 through 4, and amendments thereto, and K.S.A. 25-101b and 40-106, as amended by this act, are severable. If any portion of such provisions is declared unconstitutional or invalid, or the application of any portion of such provisions to any person or circumstance is held unconstitutional or invalid, the invalidity shall not affect other portions of such provisions that can be given effect without the invalid portion or application, and the applicability of such other portions of such provisions to any person or circumstance shall remain valid and enforceable.";

And by renumbering sections accordingly; and the bill be passed as amended.

Also, **SCR 1604** be adopted

Committee on **Government Efficiency** recommends **SB 77** be passed.

Also, **SB 85** be amended on page 2, in line 4, by striking all after "(1)"; by striking all in lines 5 through 7; in line 8, by striking "(2)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

SB 99 be amended on page 1, in line 12, by striking all before "the" and inserting "director of accounts and reports"; in line 14, by striking "Upon"; by striking all in lines 15 through 20; in line 25, by striking "abolished";

Also on page 1, in the title, in line 4, by striking "abolishing such positions;"; in line 7, by striking "abolished" and inserting "vacant"; and the bill be passed as amended.

SB 161 be amended on page 1, in line 8, after "(a)" by inserting "Except as provided further,"; in line 16, after the period by inserting "The legislative coordinating council, as provided in K.S.A. 46-1202, and amendments thereto, may approve such waiver or other authorization when the legislature is not in session."; in line 17, by striking "paragraph" and inserting "section"; in line 19, after "(b)" by inserting "On and after July 1, 2025, no state agency shall seek or implement any change to funding structures, day services or targeted case management services for persons with intellectual or developmental disabilities unless the legislature expressly consents to, and approves of, such change by an act of the legislature.

(c)";

Also on page 1, in the title, in line 5, after "state" by inserting "or making certain changes in services for persons with intellectual or developmental disabilities; authorizing approval of waivers or other authorizations by the legislative coordinating council when the legislature is not in session"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 138** be passed.

Committee on **Public Health and Welfare** recommends **SB 82**, **SB 88** be passed.

Also, **SB 29** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 29," as follows:

"Substitute for SENATE BILL NO. 29

By Committee on Public Health and Welfare

"AN ACT concerning public health; removing the authorization for a county or joint board of health or local health officer to prohibit public gatherings when necessary for the control of infectious or contagious diseases; amending K.S.A. 65-119 and repealing the existing section."; and the substitute bill be passed.

Committee on **Transportation** recommends **SB 98** be passed.

Also, recommends **SB 97** be amended on page 1, in line 16, by striking "may" and inserting "shall"; in line 17, by striking "and shall obtain" and inserting "or"; also in line 17, after the second comma by inserting "or a dealer inventory-only title"; following line 18, by inserting:

"(1) If the vehicle dealer, as defined in K.S.A. 8-2401, and amendments thereto, obtains ownership of a used vehicle that is an all-terrain vehicle, work-site utility vehicle, recreational off-highway vehicle or motorcycle and such vehicle would qualify as a nonhighway vehicle pursuant to K.S.A. 8-197, and amendments thereto, the vehicle dealer shall make application to the county treasurer of such county for a dealer inventory-only title. Each application for a dealer inventory-only title shall be accompanied by a fee of \$10 and either a bill of sale or certificate of title with the application for the vehicle. All moneys received under this paragraph shall be remitted as a certificate of title in accordance with K.S.A. 8-145(b), and amendments thereto.";

Also on page 1, in line 22, by striking "may" and inserting "shall"; in line 24, by striking all after the stricken material; in line 25, by striking all before "salvage" and inserting "or"; in line 28, by striking "may" and inserting "shall"; in line 29, by striking "and shall make application for" and inserting "or";

On page 2, in line 7, by striking "may" and inserting "shall"; in line 8, by striking "and shall make application for" and inserting "or"; in line 13, by striking "may" and inserting "shall"; in line 15, by striking all before "a" and inserting "or"; in line 23, by striking "may" and inserting "shall"; also in line 23, by striking "and"; in line 24, by striking all before "a" and inserting "or"; in line 28, by striking "(b)(2)" and inserting

"(b)(3)"; also in line 28, by striking "may" and inserting "shall";

On page 4, in line 2, by striking "(b)"; in line 3, by striking "(2)" and inserting "(b)(3)";

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

On page 7, by striking all in lines 9 through 43;

On page 8, by striking all in lines 1 through 14; in line 15, by striking "and K.S.A. 2024 Supp. 8-2408 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "to" by inserting "certain"; by striking all in line 2; in line 3, by striking all before the semicolon and inserting "requiring vehicle dealers to obtain a dealer inventory-only title for any used all-terrain vehicle, work-site utility vehicle, recreational off-highway vehicle or motorcycle that such dealer obtains"; also in line 3, by striking all after "8-198"; in line 4, by striking all before "and"; also in line 4, by striking "sections" and inserting "section"; and the bill be passed as amended.

Committee on **Utilities** recommends **SB 92** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Ways and Means** recommends **SB 181** be passed.

On motion of Senator Blasi, the Senate adjourned pro forma until 9:00 a.m., February 14, 2025.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

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