

Journal of the Senate

TWENTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 11, 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 Faust Goudeau was excused.

Vice President Shallenburger introduced guest chaplain, Mike Chamberlain, who delivered the following invocation:

Almighty and all-knowing God, Giver of every good gift and Wellspring of our life, our liberty and our happiness, we thank You for the gift of life, and for the gift of all the things that sustain us and bring us joy. We thank You for our freedoms and for our responsibilities. We thank You for this wonderful land in which we live and prosper. We thank You for its promise and for its potential.

We stand humbled in Your presence as we gather this day to turn to the privileged work of the governance. We acknowledge that power and authority rest ultimately in You. We acknowledge that each of us in this chamber has been entrusted, in a special way, to be an earthly steward of a portion of that authority so that it might be used in true service of our neighbors and fellow citizens here in Kansas, our home on the range.

As we turn to our work, open our eyes to Your presence. Where we find common ground, help us to celebrate and give thanks for Your presence. Where we disagree, help us to speak clearly and to listen honestly, with hearts and minds always open to receive Your wisdom. In all things Lord, let us approach each moment of this day living in a way that makes apparent our love for You with our whole mind, heart, soul and strength and our love for our neighbors as much as we love ourselves. Amen

The Pledge of Allegiance was led by Vice President Shallenburger.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

SB 258, AN ACT concerning elections; relating to the election crime of false representation of an election official; requiring specific intent of the offender as an element of such criminal offense; amending K.S.A. 25-2438 and repealing the existing section, by Committee on Federal and State Affairs.

SB 259, AN ACT concerning taxation; relating to income tax; providing that future tax rate decreases be contingent on exceeding revenue estimates; amending K.S.A. 2024 Supp. 79-32,110 and repealing the existing section, by Committee on Assessment and Taxation.

SB 260, AN ACT concerning parimutuel wagering; relating to the Kansas parimutuel racing act; modifying the qualifications for an organization license; redefining horsemen's associations and horsemen's nonprofit organizations; changing the distribution of certain tax revenues; amending K.S.A. 74-8826, 74-8829 and 74-8838 and K.S.A. 2024 Supp. 74-8802 and 74-8814 and repealing the existing sections, by Committee on Ways and Means.

SB 261, AN ACT concerning alcoholic beverages; relating to eligibility for certain licenses under the Kansas liquor control act and the club and drinking establishment act; authorizing the director of alcoholic beverage control to issue certain licenses to persons with certain felony convictions 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 262, AN ACT concerning eminent domain; eliminating the power of the legislature to take private property for economic development; narrowing the definition of public use; requiring a good faith offer of compensation to a property owner prior to filing an eminent domain action; providing that if the good faith offer is greater than the appraiser's award, the greater amount may be subject to appeal only by the property owner; amending K.S.A. 26-501a, 26-501b, 26-502 and 26-507 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 263, AN ACT concerning schools; relating to crisis drills; establishing standards and requirements for active shooter drills conducted by public and accredited nonpublic elementary and secondary schools; amending K.S.A. 31-133 and repealing the existing section, by Committee on Federal and State Affairs.

SB 264, AN ACT concerning public assistance; relating to the secretary for children and families; removing noncooperation with child support from disqualifications for child care subsidies; amending K.S.A. 2024 Supp. 39-709 and repealing the existing section, by Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION No. 1612—

By Committee on Ways and Means

A PROPOSITION to amend article 11 of the constitution of the state of Kansas by adding a new section thereto; concerning the power of the legislature to contract public debt and pledges to the payment thereof the full faith, credit and taxing power of the state.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 11 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 14. Power to contract public debt. Notwithstanding any provision of article 11 of the constitution of the state of Kansas to the contrary, commencing with the 2026 regular session of the legislature, the legislature may contract public debt and pledges to the payment thereof the full faith, credit and taxing power of the state. Every such debt shall be authorized by law for the purpose specified in such law and upon a

declaration of the legislature in such law that such debt is appropriate after considering the cost-effectiveness and debt service efficiency for the state. The legislature shall establish by law all matters concerning the contracting of public debt pursuant to this section, including, but not limited to, the kinds of notes, general obligation bonds, revenue bonds or other evidence of public debt that may be issued by the state."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. This amendment would modernize the 1861 public debt law for the purpose of reducing the interest rate paid by the state on new and refunded debt obligations, to allow the legislature to contract for public debt, including issuing general obligation bonds, revenue bonds or other evidence of public debt backed by the full faith, credit and taxing power of the state after considering the cost-effectiveness and debt service efficiency for the state, and would provide the legislature authority over all matters relating to such public debt.

"A vote for this proposition would allow the legislature to contract for public debt and pledge the full faith, credit and taxing power of the state for the payment of such debt and give the legislature authority over all matters concerning the contracting of public debt of the state.

"A vote against this proposition would provide no change to the Kansas constitution."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the primary election in August in the year 2025, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case the proposed amendment shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 254**.

Financial Institutions and Insurance: **HB 2042, HB 2043**.

Government Efficiency: **SB 256**.

Judiciary: **SB 255**.

Public Health and Welfare: **SB 257**.

Transportation: **HB 2029**.

COMMUNICATIONS FROM STATE OFFICERS

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

Intent to sell Lincoln Elementary School, Hays USD 489

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2085, HB 2092.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2085, HB 2092 were thereupon introduced and read by title.

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 Gossage in the chair.

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

SB 7, SB 36, SB 84 be passed.

SB 5 be passed as amended by Committee of the Whole.

COMMITTEE OF THE WHOLE ACTIONS

SB 5 be amended by motion of Senator Francisco; on page 2, in line 1, after the period by inserting "The provisions of this paragraph shall not apply to the receipt and expenditure of moneys for election security."

SB 7 be passed.

SB 36 be passed.

SB 84 be passed.

FINAL ACTION ON CONSENT CALENDAR

SB 32, SB 125, SB 135 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

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.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, 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.

Absent or Not Voting: Faust-Goudeau.

The bill passed.

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.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph

Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, 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.

Absent or Not Voting: Faust-Goudeau.

The bill passed.

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.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, 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.

Absent or Not Voting: Faust-Goudeau.

The bill passed.

EMERGENCY FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Blasi an emergency was declared by a 2/3 constitutional majority, and **SB 5**, **SB 7**, **SB 36**, **SB 84** were advanced to Final Action and roll call.

SB 5, AN ACT concerning elections; relating to the transparency in revenues underwriting elections act; prohibiting the use of funds provided by the United States government for the conduct of elections and election-related activities unless approved by the legislature; amending K.S.A. 25-2436 and repealing the existing section.

On roll call, the vote was: Yeas 33; Nays 6; Present and Passing 0; Absent or Not Voting 1.

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

Nays: Corson, Holscher, Pettey, Schmidt, Sykes, Ware.

Absent or Not Voting: Faust-Goudeau.

The bill passed, as amended.

SB 7, AN ACT concerning townships; relating to the bonding authority thereof; increasing the statutory limits on such bonding authority based on the population of the township; increasing the statutory limit on bonding authority for improvements to a township fire department; amending K.S.A. 80-113 and 80-1910 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, 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.

Absent or Not Voting: Faust-Goudeau.

The bill passed.

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.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, 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.

Absent or Not Voting: Faust-Goudeau.

The bill passed.

SB 84, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving property; modifying criminal use of a financial card to include certain conduct involving gift cards; amending K.S.A. 21-5828 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, 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.

Absent or Not Voting: Faust-Goudeau.

The bill passed.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 102**, **SB 220** from the Committee on **Public Health and Welfare**, and referred the bills to the Committee on **Judiciary**.

Under the authority of the President, the Vice President withdrew **SB 57** from the Committee on **Utilities**, and referred the bill to the Committee on **Ways and Means**.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 58** be amended on page 6, in line 28, after the first "on" by inserting "agriculture and"; in line 29, by striking "February 1"; also in line 29, by striking ", 2028" and inserting "January 15, 2029"; also in line 29, by striking "three" and inserting "four"; and the bill be passed as amended.

Also, **SB 89** 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 **Assessment and Taxation** recommends **SB 26** be amended on page 44, in line 5, by striking all after "(xxx)"; by striking all in lines 6 through 30; in line 31, by striking all before the period and inserting "all sales of materials, machinery and equipment purchased by a bowling center or bowling alley for commercial use and used directly in the game of bowling, all sales of services to install, repair or maintain such machinery and equipment and all sales of repair and replacement parts and accessories purchased for such machinery and equipment. As used in this subsection, "machinery and equipment" means automatic pin setters, ball returns, lane machines, lane cleaning machines, score screens and tables, bowling seating, bowling pins, bowling balls, bowling shoes and other equipment designed specifically for the game of bowling and "materials" means lane cleaners and conditioners, shoe cleaners and shoe deodorizers";

On page 1, in the title, in line 2, after "centers" by inserting "or bowling alleys"; and the bill be passed as amended.

Committee on **Education** recommends **SB 50** be passed.

Committee on **Federal and State Affairs** recommends **SB 137** 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 **Financial Institutions and Insurance** recommends **SB 64** be passed.

Committee on **Government Efficiency** recommends **SB 79** be amended on page 10, in line 17, by striking "79-3602c" and inserting "79-3602"; in line 19, by striking "79-3602c" and inserting "79-3602"; and the bill be passed as amended.

Committee on **Local Government, Transparency and Ethics** recommends **SB 104** 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 **Transportation** recommends **SB 113** be passed.

Committee on **Ways and Means** recommends **SB 2** be amended by adoption of the amendments recommended by the Senate Committee on Local Government, Transparency and Ethics as reported in the Journal of the Senate on February 5, 2025, and the bill, as printed with amendments by Senate Committee, be passed as amended.

On motion of Senator Blasi, the Senate adjourned until 2:30 p.m., Thursday, February 13, 2025.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

