

Journal of the Senate

FIFTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 3, 2025, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 35 senators present.

Senators Blew, J.R. Claeys, Holscher, Starnes and Ware were excused.

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

Gracious Heavenly Father, thank You for the men and women who serve our state in the Kansas Senate and for their families. Thank You for the weekend they had at home. I pray that each senator has returned refreshed and encouraged, prepared for all You have for them to address this week.

Lord, provide this body with daily reminders of why You called them to public service. Draw them to You and cause them to know and fulfill Your purposes. I pray that You would grant wisdom, understanding, discernment, and knowledge to the members of this chamber. Increase their faith and equip them to pursue Your excellence. I ask that the motivation for every action in this body would be to improve the lives of all Kansans to Your glory.

I continue to pray for the families of those who lost loved ones as a result of the aircraft accidents of last week. Hold them close and continue to comfort them as only You can. Give those investigating the causes of both incidents favor as they seek the facts, eventually providing answers for grieving families.

I pray for President Masterson, Vice President Shallenburger, Majority Leader Blasi, and Minority Leader Sykes as they lead this chamber. Give them Your peace, Your wisdom and discernment. In Jesus' Name Amen.

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

SB 141, AN ACT concerning civil actions; relating to defamation; enacting the right to speak your truth act; prohibiting defamation claims in certain circumstances, by Senator Holscher.

SB 142, AN ACT concerning education; relating to school districts; authorizing each board of education to include a teacher representative as a nonvoting member of such board; amending K.S.A. 25-2003, 72-1072 and 72-1091 and K.S.A. 2024 Supp. 72-1073, 72-1133 and 72-1137 and repealing the existing sections, by Senator Holscher.

SB 143, AN ACT concerning members of the legislature; imposing term limits; allowing members to serve additional terms conditioned on the vote in the next primary election; amending K.S.A. 25-702 and repealing the existing section, by Senator Holscher.

SB 144, AN ACT concerning real property; declaring current restrictive covenants that limit or prohibit the installation of solar panels on the rooftops of residential properties to be void and unenforceable; allowing homeowners associations to adopt reasonable rules concerning solar panels that do not prohibit rooftop installation, by Senator Holscher.

SB 145, AN ACT concerning children and minors; relating to law enforcement agencies and the secretary for children and families; requiring that the secretary immediately notify law enforcement agencies of reports of abuse or neglect; providing for law enforcement agencies to request resources from the secretary for children and families for investigations; amending K.S.A. 2024 Supp. 38-2226 and repealing the existing section, by Senator Shane.

SB 146, AN ACT concerning real property; relating to the conveyance of certain real property in Miami county, Kansas, to the city of Osawatomie, Kansas, for economic development; requiring the secretary for aging and disability services and the city of Osawatomie to execute and record an amendment to the original deed for conveyance that amends the reversionary interest of the state of Kansas in such real property to July 1, 2046; amending K.S.A. 75-3369a and repealing the existing section, by Committee on Federal and State Affairs.

SB 147, AN ACT concerning insurance; relating to automobile liability insurance; modifying uninsured and underinsured motorist coverage liability limitations for bodily injury or death; amending K.S.A. 40-284 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 148, AN ACT concerning sales taxation; relating to the taxation of services; excluding from taxation the service of installing or applying tangible personal property for the reconstruction, restoration, remodeling, renovation, repair or replacement of a building or facility; amending K.S.A. 2024 Supp. 79-3603 and repealing the existing section, by Committee on Assessment and Taxation.

SB 149, AN ACT concerning children; relating to the revised Kansas code for care of children; adding a definition of haircare therein; requiring that a haircare plan is part of the case plan for a child in custody of the secretary for children and family services; requiring the secretary to offer training on culturally competent haircare to foster parents and kinship caregivers; amending K.S.A. 2024 Supp. 38-2201a and 38-2202 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 150, AN ACT concerning insurance; relating to healthcare benefits and health insurance plans and related coverage; prohibiting the denial of coverage for the refilling of prescription topical eye medication; amending K.S.A. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 151, AN ACT concerning public assistance; relating to medical assistance; requiring the secretary of health and environment to request a waiver from the United States centers for medicare and medicaid services to end participation in certain expenditure authorities under the KanCare demonstration, by Committee on Government Efficiency.

SB 152, AN ACT concerning property taxation; relating to valuation appeals; establishing an appeal process to the board of county commissioners for certain residential and commercial real property; providing for the purchase of such property by the county under certain conditions, by Senator Schmidt.

SB 153, AN ACT concerning labor and employment; establishing the Kansas paid prenatal personal leave act; requiring employers to provide paid prenatal personal leave, by Senator Schmidt.

SB 154, AN ACT concerning education; relating to school districts; requiring boards of education of school districts to adopt policies and procedures to prohibit students from using privately owned electronic communication devices during school hours; authorizing such uses under limited circumstances; requiring school districts to adopt policies and procedures to prohibit students from using school district computers or devices to access social media platforms, by Committee on Education.

SB 155, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes affecting government functions; adding harboring or concealing a person who is alleged to have violated terms of probation to the crime of obstructing apprehension or prosecution; amending K.S.A. 21-5913 and repealing the existing section, by Committee on Judiciary.

SB 156, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of unlawful use of a laser pointer; providing criminal penalties therefor, by Committee on Judiciary.

SB 157, AN ACT concerning criminal procedure; relating to release prior to trial; forfeiture of appearance bonds; requiring warrants for failure to appear to be given to sureties; allowing bond forfeiture to be set aside if surety can show defendant left the country; requiring remission in certain circumstances; amending K.S.A. 22-2807 and repealing the existing section, by Committee on Judiciary.

SB 158, AN ACT concerning social welfare; relating to the supplemental nutrition assistance program; allowing persons with felony drug convictions to receive assistance; amending K.S.A. 2024 Supp. 39-709 and repealing the existing section, by Committee on Judiciary.

SB 159, AN ACT concerning school districts; relating to school district budgeting and accounting; requiring school district budget forms and summaries to include all expenditures of bond proceeds; amending K.S.A. 79-2926 and K.S.A. 2024 Supp. 72-1167 and repealing the existing sections, by Committee on Education.

SB 160, AN ACT concerning the attorney general; relating to the duties and responsibilities of the attorney general; granting the attorney general concurrent authority to prosecute crimes related to elementary and secondary education; amending K.S.A. 2024 Supp. 75-702 and repealing the existing section, by Committee on Education.

SB 161, AN ACT concerning public assistance; requiring approval by an act of the legislature prior to any state agency seeking or implementing any public assistance program waiver or other authorization from the federal government that expands eligibility for any public assistance program or increases cost to the state, by Committee on Government Efficiency.

SB 162, AN ACT concerning school districts; relating to student health; requiring certain school district employees to receive training in seizure recognition and related first aid; providing immunity from liability therefor; authorizing the adoption of rules

and regulations, by Committee on Education.

SB 163, AN ACT concerning education; relating to school employment contracts; prohibiting school employment contracts from excluding documentation of disciplinary actions or behavioral corrective actions taken with regard to an employee; amending K.S.A. 72-2218 and repealing the existing section, by Committee on Education.

SB 164, AN ACT concerning discrimination; relating to the attorney general; prohibiting discriminatory practices at public educational institutions; authorizing the attorney general to investigate and assess penalties; authorizing the human rights commission to refer complaints to the attorney general for investigation and initiation of legal proceedings; amending K.S.A. 44-1001, 44-1004, 44-1005 and 44-1009 and repealing the existing sections, by Committee on Education.

SB 165, AN ACT concerning school districts; relating to the approval of the issuance of bonds and approval of tax levies; requiring question submitted elections for such approvals be conducted only on primary or general election dates; prohibiting more than one such bond issuance approval election to be conducted during a calendar year; amending K.S.A. 25-2019, 72-1143, 72-53,113, 74-32,259 and 79-4001 and K.S.A. 2024 Supp. 10-120 and 72-5143 and repealing the existing sections, by Committee on Education.

SB 166, AN ACT concerning state employees; enacting the fostering competitive career opportunities act; removing postsecondary degree requirements from state employment considerations; amending K.S.A. 75-2929d and repealing the existing section, by Committee on Commerce.

SB 167, AN ACT concerning electric public utilities; relating to electric vehicle charging services; prohibiting electric public utilities from recovering from ratepayers the costs associated with electric vehicle charging stations; requiring electric public utilities that provide electric vehicle charging services to offer such services under a nonregulated private enterprise and on an equitable and nondiscriminatory basis just as such utility offers to private entities providing such services; requiring electric public utilities to establish electric vehicle charging rate schedules for the provision of electric vehicle charging services by private entities, by Committee on Utilities.

SB 168, AN ACT concerning legislative video recordings; requiring the director of legislative administrative service to remove legislative video recordings from cloud-based servers and video on demand platforms after 10 years, by Committee on Utilities.

SB 169, AN ACT concerning residential rentals and leases; relating to the mobile home parks residential landlord and tenant act; prohibiting landlords from limiting a tenant's access to communications and video services; amending K.S.A. 58-25,111 and repealing the existing section, by Committee on Utilities.

SB 170, AN ACT concerning the state corporation commission; relating to energy efficiency standards; authorizing the commission to make recommendations regarding energy efficiency standards for residential, commercial and industrial structures; amending K.S.A. 66-1227 and repealing the existing section, by Committee on Utilities.

SB 171, AN ACT concerning the department of health and environment; relating to radiation protection and control; authorizing the secretary of health and environment to license nuclear fusion systems; establishing such licensure fee; authorizing the secretary to impose late fees for any expired radiation protection and control license; amending K.S.A. 2024 Supp. 48-1603 and 48-1606 and repealing the existing sections, by Committee on Utilities.

SB 172, AN ACT concerning public health; relating to schools and child care facilities; prohibiting a school or such facility from excluding a child who has been exposed to an infectious or contagious disease without a valid isolation or quarantine order; amending K.S.A. 65-122 and repealing the existing section, by Committee on Public Health and Welfare.

SB 173, AN ACT concerning energy; relating to the development of certain wind and solar electric generation resources; establishing requirements for the conveyance of leases and easements relating thereto; requiring a county to approve the development of a commercial wind or solar energy facility before the conveyance of any such lease or easement; amending K.S.A. 2024 Supp. 58-2272 and repealing the existing section, by Committee on Federal and State Affairs.

SENATE CONCURRENT RESOLUTION No. 1609—

By Senators Sykes, Corson, Faust-Goudeau, Francisco, Holscher, Pettey, Schmidt and Ware

A PROPOSITION to repeal section 12 of article 15 of the constitution of the state of Kansas, relating to membership and nonmembership in labor organizations.

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: Section 12 of article 15 of the constitution of the state of Kansas is hereby repealed.

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

"Explanatory statement. The constitution of the state of Kansas shall be amended by repealing in its entirety section 12 of article 15, which provides that no person shall be denied employment because of membership or nonmembership in any labor organization. This section is colloquially known as the Kansas "right to work" constitutional provision.

"A vote for this proposition would repeal section 12 of article 15 of the constitution of the state of Kansas in its entirety.

"A vote against this proposition would leave section 12 of article 15 of the constitution of the state of Kansas as it currently exists."

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 general election in November in the year 2026, 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:

Education: **SB 140**.

Federal and State Affairs: **SB 136, SB 137**.

Financial Institutions and Insurance: **SB 139**.

Judiciary: **SB 138**.

COMMUNICATIONS FROM STATE OFFICERS

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

KDHE Rural Hospital Innovation Grant Report, Kansas Department of Health and Environment

2024 Annual Report, Office of the Kansas State Treasurer

2024 250 Annual Report, Kansas Department of Commerce

2024 APEX Annual Report, Kansas Department of Commerce

2024 PEAK Annual Report, Kansas Department of Commerce

2024 ROZ Annual Report, Kansas Department of Commerce

2024 Apprenticeship Act Annual Report, Kansas Department of Commerce

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2004**.

Announcing passage of **SB 63**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2004 was thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 33** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 33," as follows:

"Substitute for SENATE BILL NO. 33

By Committee on Assessment and Taxation

"AN ACT concerning sales taxation; relating to exemptions; excluding exempt sales of certain custom meat processing services from exemption certificate requirements; amending K.S.A. 79-3651 and repealing the existing section.";

And the substitute bill be passed.

Your Committee on **Federal and State Affairs** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Brigadier General, Kansas National Guard: K.S.A. 48-208

Col. Carlin Williams, to serve at the pleasure of the Governor

Committee on **Financial Institutions and Insurance** recommends **SB 20, SB 24** be passed.

Also, **SB 28** be amended on page 5, in line 25, after "15" by inserting "business"; and the bill be passed as amended.

On motion of Senator Blasi, the Senate adjourned until 2:30 p.m., Tuesday, February 4, 2025.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*
COREY CARNAHAN, *Secretary of the Senate.*

