

Journal of the Senate

TWENTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 14, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 39 senators present.

Senator Claeys was excused.

President Masterson introduced guest chaplain, Reverend Shirley D. Heermance, Pastor of Historic St. Mark's AME Church in Topeka, Kansas who delivered the following invocation:

Dear Heavenly Father, Creator and Sustainer of all:

As I stand now I've come to lift before You this house occupied by the men and women who serve as the Kansas State Senate Legislators. I pray as they prepare to move through the functions of this day that you will grant to each the power to perform with purpose toward fulfilling the objectives that are aimed for the betterment of all Kansans.

As they move through the course of this day, set aside to contemplate and to express love, let the objectives of their work be motivated by it. Let the deliberations, the debates and the decisions be determined by their devotion to the American creed of liberty and justice for all. As they serve this great State, through differing diplomatic coalitions, make one their alliance around the things that impact the citizens of Kansas in ways that will benefit the masses. Especially at this time when love in action is needed for so many, not just in Kansas but everywhere, fill their hearts and fuel their minds to establish goodwill as individuals and as a body.

As we exit in the middle of what we have come to know as Black History Month, and as we celebrate those who have gone before us...people of African decent who have made major contributions throughout our state, country and our world for the betterment of all people. I pray that to You O God for those who sat in this chamber to fashion the future. I pray that You will empower them and give to each the kind of wisdom to perform in ways that You will say "well done."

Bless now this house O God and the work this day will bring to fruition. I pray in the precious name of Jesus. Amen

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 249, AN ACT concerning the offices of the state treasurer and the commissioner of insurance; relating to the filling of a vacancy; amending K.S.A. 25-101b and 40-106

and repealing the existing sections, by Committee on Federal and State Affairs.

SB 250, AN ACT concerning the personal and family protection act; removing state agency fees for licenses to carry concealed handguns; amending K.S.A. 2022 Supp. 75-7c05 and 75-7c08 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 251, AN ACT concerning alcoholic beverages; relating to spirits distributors, wine distributors and cereal malt beverage distributors; regulating samples; amending K.S.A. 41-306, 41-306a and 41-307 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 252, AN ACT concerning taxation; relating to property tax and sales tax exemptions; providing a property tax exemption for certain business property operated in competition with property owned or operated by a government entity; providing a sales tax exemption for certain businesses competing against governmental entities; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SENATE CONCURRENT RESOLUTION No. **SCR 1605**—

By Senators Straub, Claeys, Doll, Gossage, Kloos, Peck, Pittman, Pyle, Steffen and Thompson

A PROPOSITION to amend section 2 of article 2 of the constitution of the state of Kansas; providing for consecutive term limits for senators and representatives.

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 2 of article 2 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 2. Senators and representatives. (a) The number of representatives and senators shall be regulated by law, but shall not exceed one hundred twenty-five representatives and forty senators. Representatives and senators shall be elected from single-member districts prescribed by law. Representatives shall be elected for ~~two-year~~ *two-year* terms. Senators shall be elected for ~~four-year~~ *four-year* terms. The terms of representatives and senators shall commence on the second Monday of January of the year following election.

(b) (1) *From and after January 13, 2025, no individual shall be elected as a representative for more than four consecutive two-year terms.*

(2) *From and after January 13, 2025, no individual shall be elected as a senator for more than two consecutive four-year terms.*

(3) *For the purpose of computing the time period under either paragraph (1) or (2), no time spent serving as either a representative or senator prior to January 13, 2025, shall be counted."*

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

"Explanatory statement. This amendment would limit an individual's

service as a state representative to four consecutive two-year terms and an individual's service as a state senator to two consecutive four-year terms starting on January 13, 2025. Any terms of service occurring prior to January 13, 2025, and any nonconsecutive terms would not be subject to this limitation.

"A vote for this proposition would limit the service of an individual as a state representative to four consecutive two-year terms and the service of an individual as a state senator to two consecutive four-year terms starting on January 13, 2025.

"A vote against this proposition would retain the current constitutional provisions that impose no limitations on the number of terms an individual may serve as a representative or as a senator."

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 2024, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it 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:

Assessment and Taxation: **SB 247, SB 248.**

Financial Institutions and Insurance: **SB 245.**

Public Health and Welfare: **SB 246.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Faust Goudeau and Haley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1709—

A RESOLUTION recognizing the members of Delta Sigma Theta Sorority, Inc., for their outstanding service to the citizens of our state, our nation and the international community and for their promotion of sisterhood, scholarship and service.

WHEREAS, Delta Sigma Theta Sorority, Inc., is a private, not-for-profit organization whose purpose is to provide assistance and support in local communities throughout the world in diverse fields relating to public service through the organization's established five-point programmatic thrust: Economic development, educational development, international awareness and involvement, physical and mental health, and political awareness and involvement; and

WHEREAS, On January 13, 1913, Delta Sigma Theta Sorority, Inc. was founded at Howard University in the District of Columbia by: Osceola Macarthy Adams, Marguerite Young Alexander, Winona Cargile Alexander, Ethel Cuff Black, Bertha Pitts

Campbell, Zephyr Chisom Carter, Edna Brown Coleman, Jessie McGuire Dent, Fredrica Chase Dodd, Myra Davis Hemmings, Olive C. Jones, Mamie Reddy Rose, Eliza Pearl Shippen, Florence Letcher Toms, Ethel Carr Watson, Wertie Blackwell Weaver, Madree Penn White and Edith Motte Young; and

WHEREAS, In March 1913, the founders of Delta Sigma Theta Sorority, Inc., participated in the Women's Suffrage March in the District of Columbia, which was the sorority's first public act; and

WHEREAS, Since its founding, more than 300,000 women have joined the organization; and

WHEREAS, Delta Sigma Theta Sorority, Inc., has eight chapters in Kansas and a total of 1,000 collegiate and alumnae chapters in the United States, Canada, Japan, Germany, the Virgin Islands, Bermuda, the Bahamas, Jamaica, West Africa and the Republic of Korea: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the members of Delta Sigma Theta Sorority, Inc., for their outstanding service to the citizens of our state, our nation and the international community and for their promotion of sisterhood, scholarship and service; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Amber Adams, Honorable Gwynne Birzer, Jasmine Burrell, Alice Brannon-Williams, Ashlynn Clark, Anna Gregory, Alyssa Harris, Dr. Felicia C. Echols, Dr. Christina Love, Valerie Patterson, Makayla Patton, Tanya Young, Senator Faust Goudeau and Senator Haley.

On emergency motion of Senator Faust-Goudeau **SR 1709** was adopted unanimously.

MESSAGES FROM THE GOVERNOR

The following appointment made by the Governor and submitted to the Senate for confirmation was introduced and the appointment letter read:

Colonel Jason Knobbe, Assistant Adjutant General-Air/Commander, Kansas Air National Guard (submitted: February 2, 2023)

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with President Masterson in the chair.

COMMITTEE OF THE WHOLE

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

On motion of Senator Bowers the following report was adopted:

SB 73 be passed.

SB 106 be amended by the adoption of the committee amendments, and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on Financial Institutions and Insurance recommends **SB 18**, **SB 34**, **SB 51**, **SB 85** be passed.

Also, **SB 37** be amended on page 3, following line 26, by inserting:

"(f) For purposes of calculating any tax due under K.S.A. 40-253, and amendments thereto, the credit allowed by this section shall be treated as a tax paid under K.S.A. 40-252, and amendments thereto."; and the bill be passed as amended.

SB 44 be amended on page 1, in line 18, by striking all after "(3)"; in line 19, by striking all before the first comma and inserting "supervised lenders"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 130** be amended on page 1, in line 6, before "On" by inserting "(a)"; in line 11, after the period by inserting "Except as otherwise provided in subsection (b),"; in line 12, by striking "(a)" and inserting "(1)"; in line 15, by striking "(b)" and inserting "(2)"; following line 15, by inserting:

"(b) The provisions of this section shall not apply to distinctive license plates designating a person as a recipient of the congressional medal of honor issued pursuant to K.S.A. 8-1,145, and amendments thereto."; and the bill be passed as amended.

Committee on **Utilities** recommends **SB 68** be amended on page 2, in line 26, after "(f)" by inserting "Nothing in this section shall be construed to affect the right of any municipally owned or operated utility to develop, construct, upgrade, own and maintain transmission facilities, substations and controls used to serve load requirements.

(g)";

Also on page 2, in line 31, after the first comma by inserting "including municipal corporations,"; in line 35, by striking all after "state"; by striking all in lines 36 and 37; in line 38, by striking all before the period;

On page 3, following line 6, by inserting:

"(h) The provisions of this section shall expire on July 1, 2033."; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, February 15, 2023.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

