

# Journal of the Senate

FIFTY-THIRD DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Tuesday, March 28, 2023, 10:00 a.m.

The Senate was called to order by President Ty Masterson.  
The roll was called with 40 senators present.  
Invocation by Reverend Cecil T. Washington:

Unity In Diversity: 1 Corinthians 13:13

Heavenly Father, thank You for the accomplishments in these halls. Thank You for everyone employed in bringing these achievements to pass, those in decision-making positions and those in supporting staff positions. We ask for Your wisdom and guidance for each and for every person here and for every aspect of the work being done here.

Even when there's dissension, give those with opposing viewpoints the ability to see with clarity and compassion. And when the efforts to come together fall short, help people to express themselves in love, realizing that not one of us has all knowledge or is always right.

You said in 1 Corinthians 13:13, that love is the number one principle for real betterment. So, let all that occurs in these chambers be based on that principle. Let what occurs here be a coming together, a blending of efforts to bless Your people. And let us experience the miracle of unity in diversity.

In the Name of the Christ, I offer this prayer. Amen!

The Pledge of Allegiance was led by President Masterson.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**SB 147**, AN ACT concerning income taxation; relating to credits; increasing the tax credit amount for adoption expenses; increasing the tax credit amount for household and dependent care expenses; amending K.S.A. 79-32,111c and 79-32,202a and repealing the existing sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettet, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

The Call was lifted.

**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, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 24; Nays 16; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Faust-Goudeau, Gossage, Kloos, Masterson, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Pettey, Reddi, Shallenburger, Sykes, Ware.

The bill passed, as amended.

The Call was lifted.

#### EXPLANATION OF VOTE

I vote in opposition of **SB 252** to “providing property and sales tax exemption to certain business property operated in competition with property owned or operated by a government entity”. The private sector and public sector appeal to different demographics and are not a threat to each other. These types of tax exemptions shift the tax burden to residential homeowners. Local elected officials work to keep property taxes low while trying to meet the needs of their community which includes the private and public sector. Revenue from property taxes fund our schools, police departments, fire departments and city and county services.—*USHA REDDI*

Senator Pettey requests the record to show she concurs with the "Explanation of Vote" offered by Senator Reddi on **SB 252**.

**SB 265**, AN ACT concerning crimes, punishment and criminal procedure; relating to restitution; requiring a person convicted of an offense that resulted in the incapacitation or death of a victim who is the parent or guardian of a minor child to pay restitution in the form of child support; relating to violation of a protective order; increasing criminal penalties for repeat violations; amending K.S.A. 2022 Supp. 21-5924 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

**SB 271**, AN ACT concerning trains; relating to branch and mainline length; providing for minimum distance for storage of rolling stock, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 27; Nays 13; Present and Passing 0; Absent or Not Voting 0.

Yeas: Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Masterson, McGinn, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Erickson, Fagg, Longbine, O'Shea, Olson, Peck, Thompson, Tyson, Warren, Wilborn.

The bill passed, as amended.

The Call was lifted.

**SB 291**, AN ACT concerning environmental, social and governance criteria involving public contracts and investments; enacting the Kansas public investments and contracts protection act; prohibiting the state or a political subdivision from giving preferential treatment to or discriminating against companies based on environmental, social and governance criteria in procuring or letting contracts; requiring fiduciaries of the Kansas public employees retirement system to act solely in the financial interest of participants and beneficiaries of the system; restricting state agencies from adopting environmental, social and governance criteria or requiring any person or business to operate in accordance with such criteria; directing the board of trustees of the Kansas public employees retirement system to divest from investments with foreign adversaries; providing for enforcement of such act by the attorney general; indemnifying the Kansas public employees retirement system with respect to actions taken in compliance with such act; amending K.S.A. 2022 Supp. 74-4921 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

#### EXPLANATION OF VOTE

While the underlying bill originally had issues with limiting return on investment for our retirees, that has been fixed through our committee process. However, we added a provision that now allows the Attorney General, albeit with nominal rules and regs, to declare which nations are adversaries. Where we fixed a negative fiscal impact in the billions on the original bill, before allowing the attorney general to drive such restrictions on our extensive investments, we need to investigate, at a minimum, the fiscal impact of this potential change made on the floor. I vote "NO."—JEFF PITTMAN

Senators Francisco and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **SB 291**.

**SB 300**, AN ACT concerning privilege tax; relating to rates; decreasing the privilege tax rates on banks, trust companies and savings and loan associations by reducing the

normal tax rates; amending K.S.A. 79-1107 and 79-1108 and repealing the existing sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Francisco, Holland, Holscher, Pettey, Reddi, Ware.

The bill passed.

The Call was lifted.

**SB 309**, AN ACT concerning cities and counties; relating to reductions in local retailers' sales and compensating use tax revenues to cities, counties or a municipal university with the authority to impose a countywide retailers' sales tax; local extraordinary needs grants; creating the fixing instant revenue shock for taxpayers fund and local extraordinary needs fund; authorizing certain transfers to and payments from such funds; establishing the joint committee on local extraordinary needs grants; providing powers, duties and restrictions in reviewing and approving capital expenditure project grants by such joint committee; abolishing the local ad valorem tax reduction fund; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-1479 and 79-2965 and K.S.A. 2022 Supp. 74-8768 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961 and 79-2962 and K.S.A. 2022 Supp. 79-2959, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 17; Nays 23; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Kloos, Masterson, Peck, Petersen, Shallenburger, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Olson, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Ware.

A constitutional majority having failed to vote in favor of the bill, **SB 309** did not pass.

The Call was lifted.

**S Sub HB 2010**, AN ACT concerning crimes, punishment and criminal procedure; relating to trials; updating a statutory cross reference related to persons found not guilty by reason of mental disease or defect; pertaining to housing, jury instructions and annual hearings on continued commitment; relating to criminal discharge of a firearm; increasing the penalty for violations when a person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm; enacting the reduce armed violence act; increasing criminal penalties for certain violations of criminal possession of a weapon by a convicted felon that involve firearms; relating to sentencing; allowing certain nondrug offenders to participate in a certified drug abuse treatment program; relating to postrelease supervision; providing that such term does not toll except as provided by law; amending K.S.A. 12-736 and K.S.A. 2022 Supp. 21-6308, 21-6804, 21-6824, 22-3428, 22-3428a and 22-3722 and repealing the existing

sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Holscher, Steffen.

The substitute bill passed.

The Call was lifted.

**HB 2019**, AN ACT concerning transportation; relating to the Kansas transportation network company services act; establishing conditions for when a driver is an independent contractor for a transportation network company, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

**HB 2039**, AN ACT concerning wildlife and parks; relating to hunting and fishing licenses; exempting disabled veterans from certain requirements; amending K.S.A. 32-906, 32-919 and 32-988 and repealing the existing sections, was considered on final action.

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

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

The bill passed, as amended.

**HB 2059**, AN ACT concerning alcoholic beverages; exempting charitable raffle prizes of alcoholic liquor and cereal malt beverages from the Kansas liquor control act, the club and drinking establishment act and the Kansas cereal malt beverage act; relating to spirits, wine and beer distributors; regulating samples; amending the common consumption area law to permit rather than require roads be blocked and allowing designation of such areas by signage; amending K.S.A. 41-104, 41-306, 41-306a, 41-307 and 41-2659 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Peck, Pyle, Steffen, Tyson.

The bill passed, as amended.

**HB 2080**, AN ACT concerning virtual schools; relating to state assessments; authorizing students enrolled in virtual school to take virtual state assessments; amending K.S.A. 72-3711 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Warren, Wilborn.

Nays: Francisco, Holscher, Steffen, Tyson, Ware.

Present and Passing: Pettey.

The bill passed.

**HB 2082**, AN ACT concerning counties; allowing counties to create a code inspection and enforcement fund and expanding the county equipment reserve fund to include electronic technology; allowing counties to create a municipalities fight addiction fund for the expenditure of opioid settlement monies received pursuant to the Kansas fights addiction act; amending K.S.A. 19-119 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pyle, Steffen.

The bill passed.

**Sub HB 2121**, AN ACT concerning crimes, punishment and criminal procedure; relating to trials; speedy trial; extending the suspension and providing that time during the COVID-19 public health emergency shall not be assessed against the state; amending K.S.A. 2022 Supp. 22-3402 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 32; Nays 8; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Ryckman, Shallenburger, Steffen, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Blasi, Holland, Peck, Pittman, Pyle, Reddi, Straub, Tyson.

The bill passed.

**HB 2125**, AN ACT concerning health and healthcare; relating to the practice of cosmetology and barbering; powers, duties and functions of the Kansas state board of cosmetology; requiring certain administrative actions to be in accordance with the Kansas administrative procedure act and reviewable under the Kansas judicial review act; providing for charitable event permits and demonstration permits to provide tattooing, cosmetic tattooing or body piercing services; authorizing cease and desist orders against unlicensed providers of tattooing, cosmetic tattooing or body piercing services; {requiring tattoo artists, cosmetic tattoo artists and body piercers to keep case history cards for three years instead of five years; }exempting adult care homes from statutes governing cosmetology and barbering facilities; amending K.S.A. 65-1904a, 65-1941 {, 65-1946} and 74-1807 and repealing the existing {sections}, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Holscher.

Present and Passing: Steffen.

The bill passed, as amended.

**HB 2173**, AN ACT concerning political subdivisions of the state; relating to building codes or similar rules; providing that such provisions shall not prohibit refrigerants approved for use under federal law, was considered on final action.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

**HB 2196**, AN ACT concerning retirement and pensions; relating to the Kansas deferred retirement option program act; expanding such program membership to all members of the Kansas police and firemen's retirement system; amending K.S.A. 2022 Supp. 74-4986l and 74-4986p and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

**HB 2226**, AN ACT concerning the state corporation commission; relating to the Kansas underground utility damage prevention act; extending the time period for notice for excavations; permitting virtual whitelining of excavation sites; amending K.S.A. 66-1804 and 66-1810 and K.S.A. 2022 Supp. 66-1802, 66-1805 and 66-1806 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

**HB 2234**, AN ACT relating to state construction or building improvement projects; increasing the cost threshold for the mandatory convening of a negotiating committee by the secretary of administration or agency head and the selection of architectural, engineering or land surveying services from a list of qualified firms; providing such cost threshold be increased annually based on the percentage increase in the consumer price index; changing the measure of the cost threshold from "total project cost" to "construction cost"; amending K.S.A. 75-1253 and 75-5804 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Steffen, Straub, Tyson.

The bill passed, as amended.

**HB 2236**, AN ACT concerning education; relating to school districts; establishing parents' right to direct the education and upbringing of their children including the right to object to educational materials and activities that are not included in approved curriculum or standards or impair a parent's beliefs, values or principles, was considered on final action.

On roll call, the vote was: Yeas 23; Nays 17; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, Olson, Pettey, Pittman, Pyle, Reddi, Sykes, Ware.

The bill passed, as amended.

#### EXPLANATION OF VOTE

This "Parents' Bill of Rights" capitalizes on national figures' successful manipulation of parents' anxieties around learning and growing by suggesting that our public schools



– which are subject to strict oversight by the state – are hiding nefarious materials used to brainwash our children. Really, this legislation undermines our public school teachers and districts that teach and care for Kansas kids. These teachers are closest to our students and families, and they are already empowered to accommodate the needs of those students. Children deserve an honest and accurate education that enables them to learn from our past and help create a better future, and politically motivated legislators have no business stoking fears that will lead to further legislation undermining that goal.—DINAH SYKES

Senators Francisco, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **HB 2236**.

**HB 2240**, AN ACT concerning the department for children and families; relating to qualified residential treatment programs; requiring the clerk of the district court to give notice of placement; amending K.S.A. 38-2291 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

**HB 2263**, AN ACT concerning health professions and practices; relating to pharmacy; authorizing pharmacy technicians to administer certain vaccines; relating to physicians; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service; amending K.S.A. 65-1635a and K.S.A. 2022 Supp. 65-2836 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 26; Nays 10; Present and Passing 4; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Francisco, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Dietrich, Faust-Goudeau, Haley, McGinn.

The bill passed, as amended.

#### EXPLANATION OF VOTE

The attacks on the transgender community this session have been relentless. The majority party will stop at nothing to make sure that a population that already feels left behind and is told year after year that their state leaders don't want them to be a part of our community – they'll stop at nothing to tell these folks that they are not welcome here. In fact, they'll go so far as to tie the fate of objectively good public health policy to this hateful agenda. That's shameful. I vote "NO."—DINAH SYKES

Senators Francisco, Pettey and Ware request the record to they she concur with the "Explanation of Vote" offered by Senator Sykes on **HB 2263**.

**HB 2269**, AN ACT regarding cigarettes, electronic cigarettes and tobacco products; raising the minimum age for the sale, purchase or possession of such products to 21 years of age; amending K.S.A. 79-3304, 79-3309, 79-3321, 79-3322 and 79-3391 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Claeys, Corson, Dietrich, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, McGinn, O'Shea, Peck, Petersen, Pettey, Reddi, Ryckman, Steffen, Sykes, Thompson, Ware, Wilborn.

Nays: Baumgardner, Bowers, Doll, Erickson, Masterson, Olson, Pittman, Pyle, Shallenburger, Tyson, Warren.

Present and Passing: Straub.

The bill passed.

#### EXPLANATION OF VOTE

I understand the supporters' intent to improve healthcare outcomes in our state. However, we just passed a bill which would give presumptive prison sentences of 60 months for a 14 year old illegally discharging a firearm, we see people as young as 13 years old being tried as adults and getting life sentences, and we send 18 year old soldiers to fight our wars for us. We expect young people to be adults except on this issue where they apparently can't make their own decisions until they are 21. I vote "NO."—JEFF PITTMAN

Senators Doll and Bowers request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **HB 2269**.

**HB 2284**, AN ACT concerning insurance; pertaining to the continuation of firefighter health insurance; adding fire districts to the definition of "municipality" for purposes of the payment of COBRA premiums under certain circumstances; amending K.S.A. 40-1709 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

**HB 2288**, AN ACT concerning the behavioral sciences; relating to professional counselors; enacting the counseling compact to provide interstate practice privileges; authorizing the behavioral sciences regulatory board to establish a fee for a home-state license with interstate practice privileges; amending K.S.A. 2022 Supp. 65-5808 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not

Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Ware, Warren, Wilborn.

Nays: Pyle, Steffen, Thompson, Tyson.

The bill passed.

**HB 2292**, AN ACT concerning economic development; enacting the Kansas apprenticeship act; establishing a tax credit {program} and grant incentive {programs} for apprenticeships {for Kansas businesses, nonprofit organizations, healthcare organizations and teacher apprentices for school districts}; creating the Kansas nonprofit apprenticeship grant program fund {and the Kansas educator registered apprenticeship grant program fund}, was considered on final action.

On roll call, the vote was: Yeas 30; Nays 7; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Sykes, Ware, Wilborn.

Nays: Baumgardner, Peck, Shallenburger, Steffen, Straub, Thompson, Tyson.

Present and Passing: Erickson, Gossage, Warren.

The bill passed, as amended.

**HB 2322**, AN ACT concerning education; relating to exceptional children; revising the definition of "children with disabilities" to replace emotional disturbance with emotional disability and include dyslexia; amending K.S.A. 2022 Supp. 72-3404 and 75-5399 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

**HB 2335**, AN ACT concerning transportation; relating to the rail service improvement program; authorizing loans or grants for qualified track maintenance; providing a definition for qualified track maintenance; increasing the transfer amount from the state highway fund to the rail service improvement fund; amending K.S.A. 2022 Supp. 75-5048 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen, Straub.

The bill passed, as amended.

**HB 2375**, AN ACT concerning the behavioral sciences; relating to social work; powers, duties and functions of the behavioral sciences regulatory board; establishing the temporary candidacy baccalaureate and master social work licenses; providing requirements and fees therefor; amending K.S.A. 65-6314 and K.S.A. 2022 Supp. 65-6306 and repealing the existing sections, was considered on final action.

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

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pyle.

The bill passed, as amended.

#### MESSAGE FROM THE HOUSE

The House nonconcur in Senate amendments to **HB 2184**, requests a conference and has appointed Representatives Hoffman, Rhiley and Amyx as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2015**, requests a conference and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2065**, requests a conference and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2130**, requests a conference and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2131**, requests a conference and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2020**, requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2089**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2090**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2093**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2094**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **S Sub HB 2344**, requests a conference and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2042**, requests a conference and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2096**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2097**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2098**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2100**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2214**, requests a conference and has appointed Representatives Owens, Smith, E. and Highberger as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2285**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2298**, requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

Announcing passage of **HB 2418, HB 2449, HB 2452**.

Announcing passage of **SB 3, SB 114, SB 120**.

Announcing passage of **SB 25**, as amended; **SB 17**, as amended; **SB 27**, as amended; **SB 44**, as amended; **SB 66**, as amended; **SB 75**, as amended; **SB 85**, as amended; **SB 115**, as amended; **SB 119**, as amended; **SB 123**, as amended; **Sub SB 131**, as amended; **SB 189**, as amended; **SB 205**, as amended; **SB 217**, as amended; **SB 228**, as amended; **SB 243**, as amended.

Announcing passage of **SB 116**, as amended by **H Sub for SB 116**; **SB 244**, as amended by **H Sub for SB 244**.

## INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

**HB 2418, HB 2449, HB 2452** were thereupon introduced and read by title.

## ORIGINAL MOTION

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2015**.

The President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2020**.

The President appointed Senators Petersen, Kloos and Corson as conferees on the part of the Senate.

On motion of Senator Erickson, the Senate acceded to the request of the House for a conference on **HB 2042**.

The President appointed Senators Erickson, Dietrich and Holland as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2065**.

The President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2089**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2090**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2093**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2094**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2096**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2097**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2098**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2100**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2130**.

The President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a

conference on **HB 2131**.

The President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Billinger, the Senate acceded to the request of the House for a conference on **HB 2184**.

The President appointed Senators Billinger, Claeys and Pettey as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2214**.

The President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2285**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2298**.

The President appointed Senators Petersen, Dietrich and Corson as conferees on the part of the Senate.

On motion of Senator Erickson, the Senate acceded to the request of the House for a conference on **S Sub HB 2344**.

The President appointed Senators Erickson, Dietrich and Holland as conferees on the part of the Senate.

#### 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 Claeys in the chair.

**SB 297, SB 314, HB 2114, HB 2304** be passed.

A motion by Senator Sykes to amend **HB 2304** failed and the following amendment was rejected; on page 1, in line 14, after "program" by inserting "and provide materials from the be smart program offered by the everytown for gun safety support fund"

A ruling of the chair was requested as to the germaneness of the amendment. The chair of the rules committee ruled the amendment was germane to the bill.

Upon the showing of five hands a roll call vote was requested on the amendment.

On roll call, the vote was: Yeas 11; Nays 28; Present and Passing 0; Absent or Not Voting 1.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Present and Passing: 0

Absent or Not Voting: Longbine

**SB 287, HB 2027, HB 2160, HB 2279, HB 2346** be amended by the adoption of the committee amendments, and the bills be passed as amended.

**SB 301** be amended by the adoption of the committee amendments, be further amended by motion of Senator Francisco; on page 2, in line 25, after the period by inserting "An individual who is an elected officer of a township or school district shall file a statement of substantial interests between April 15 and April 30, inclusive, of any year if, during the preceding calendar year, any change occurred in such individual's substantial interests.";

On page 1, in the title, in line 5, after "requirements" by inserting "absent a change in substantial interests of such officers"

and **SB 301** be passed as further amended.

The committee report on **HB 2302** recommending **S Sub HB 2302** be adopted, and the substitute bill be passed.

The committee report on **HB 2390** recommending **S Sub HB 2390** be adopted.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 21; Nays 13; Present and Passing 6; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Olson, Peck, Petersen, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, O'Shea, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Blasi, Bowers, Dietrich, McGinn, Pyle, Ryckman.

The committee report was adopted, and **S Sub HB 2390** be passed.

**HB 2021** be passed over and retain a place on the calendar.

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

#### AFTERNOON SESSION

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

#### CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **SB 17** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **SB 27** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **SB 44** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Pittman as a conference committee on the part of the Senate.

On motion of Senator Baumgardner the Senate nonconcurrred in the House amendments to **SB 66** and requested a conference committee be appointed.

The President appointed Senators Baumgardner, Erickson and Sykes as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to



**SB 75** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 85** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 115** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 119** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Baumgardner the Senate nonconcurred in the House amendments to **SB 123** and requested a conference committee be appointed.

The President appointed Senators Baumgardner, Erickson and Sykes as a conference committee on the part of the Senate.

On motion of Senator Gossage the Senate nonconcurred in the House amendments to **Sub SB 131** and requested a conference committee be appointed.

The President appointed Senators Gossage, Erickson and Pettey as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 189** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 217** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 228** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 243** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

#### **COMMITTEE OF THE WHOLE**

The Senate returned to Committee of the Whole for consideration of bills under the heading of General Orders with Senator Claeys in the Chair.

On motion of Senator Claeys, the report for the morning and the following afternoon session was adopted.

**SB 307; HB 2087, HB 2225, HB 2290, HB 2395** be passed.

Senator Haley offered two amendments on **HB 2087**, both were rejected.

An amendment was offered by Senator Shallenburger to amend **HB 2225**. A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment not germane.

A motion by Senator Tyson to amend **HB 2225** was offered. A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment germane. The following amendment was rejected; on page 1, following line 14, by inserting:

"New Section 1. (a) On and after July 1, 2023, the commission shall not approve an application for or issue any new financing order pursuant to K.S.A. 66-1,241, and amendments thereto, to authorize an electric public utility to use securitized utility tariff bonds to finance securitized utility tariff costs or charges pursuant to the utility finance and securitization act.

(b) This section shall be a part of and supplemental to the utility finance and securitization act.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the second semicolon by inserting "prohibiting the state corporation commission from approving the issuance of any new securitized utility tariff bonds;"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 9; Nays 22; Present and Passing 3; Absent or Not Voting 6.

Yeas: Baumgardner, Claeys, Erickson, Peck, Shallenburger, Steffen, Straub, Thompson, Tyson.

Nays: Billinger, Bowers, Corson, Dietrich, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Kerschen, Kloos, Longbine, McGinn, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Wilborn.

Present and Passing: Gossage, Pyle, Warren.

Absent or Not Voting: Alley, Blasi, Doll, Holscher, Masterson, O'Shea.

**SB 315; HB 2141, HB 2147, HB 2313, HB 2325, HB 2326, HB 2350** be amended by the adoption of the committee amendments, and the bills be passed as amended.

**SB 40** be amended by motion of Senator Tyson; on page 11, following line 5, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 79-4508a is hereby amended to read as follows: 79-4508a. (a) For tax year 2022, and all tax years thereafter, the amount of any claim pursuant to this section shall be computed by deducting the claimant's base year ad valorem tax amount for the homestead from the claimant's homestead ad valorem tax amount for the tax year for which the refund is sought.

(b) As used in this section:

(1) "Base year" means the year in which an individual becomes an eligible claimant and who is also eligible for a claim for refund pursuant to this section. For any individual who would otherwise be an eligible claimant prior to 2021, such base year shall be deemed to be 2021 for the purposes of this act.

(2) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a person 65 years of age or

older or a disabled veteran who was receiving benefits pursuant to this section at the time of the claimant's death shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

(3) "Household income" means all income as defined in K.S.A. 79-4502(a), and amendments thereto, excluding all payments received under the federal social security act received by persons of a household in a calendar year while members of such household.

(c) A claimant shall only be eligible for a claim for refund under this section if:

(1) The claimant's household income for the year in which the claim is filed is ~~\$50,000~~ \$75,000 or less; and

(2) the appraised value of the claimant's homestead for the base year is ~~\$350,000~~ \$595,000 or less.

The provisions of K.S.A. 79-4522, and amendments thereto, shall not apply to a claim pursuant to this section. In the case of all tax years commencing after December 31, 2022, the upper limit household income threshold amount prescribed in this subsection shall be increased by an amount equal to such threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences. In the case of all base years commencing after December 31, 2021, the upper limit appraised value threshold amount prescribed in this subsection shall be increased each year to reflect the average percentage change in statewide residential valuation of existing residential real property for the preceding 10 years.

(d) A taxpayer shall not be eligible for a homestead property tax refund claim pursuant to this section if such taxpayer has received for such property for such tax year either: (1) A homestead property tax refund pursuant to K.S.A. 79-4508, and amendments thereto; or (2) the selective assistance for effective senior relief (SAFESR) credit pursuant to K.S.A. 79-32,263, and amendments thereto.

(e) The amount of any claim shall be computed to the nearest \$1.

(f) The household income and appraised value amendments made to this section by this act shall apply retroactively, and the deadline to file claims for tax year 2022 shall be extended to on or before April 15, 2024.

(g) The provisions of this section shall be a part of and supplemental to the homestead property tax refund act.;

Also on page 11, in line 6, by striking "is" and inserting "and 79-4508a are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "relating to homestead refund claims; excluding social security payments from household income for eligibility of seniors and disabled veterans related to increased property tax claims; increasing the appraised value and household income thresholds for eligibility.;" in line 4, after "79-32,117" by inserting "and 79-4508a"; also in line 4, by striking "section" and inserting "sections"

and the **SB 40** be passed as amended.

The committee report on **HB 2016** recommending **S Sub HB 2016** be adopted, be amended by motion of Senator Baumgardner; on page 1, in line 9, after "abusive" by inserting "website"; in line 27, after "access" by inserting "to websites";

On page 2, in line 3, after the first "any" by inserting "website"; in line 4, after "any" by inserting "website"; in line 7, by striking "an" and inserting "a website"; in line 9,

after the second "any" by inserting "website"; in line 12, by striking "an" and inserting "a website"; in line 30, by striking "an" and inserting "a website"; in line 31, after "alleged" by inserting "website"; in line 34, after "alleged" by inserting "website"; in line 35, after "alleged" by inserting "website"; in line 36, by striking "an" and inserting "a website"; in line 42, by striking "an" and inserting "a website"; in line 43, by striking "an" and inserting "a website";

On page 3, in line 10, by striking "an" and inserting "a website"; in line 14, by striking "an" and inserting "a website";

On page 1, in the title, in line 2, after "abusive" by inserting "website"; in line 3, after "any" by inserting "website"

**S Sub HB 2016** be further amended by motion of Senator Corson; on page 1, in line 22, after "system" by inserting "against smaller Kansas businesses"; in line 35, after the period, by inserting "The lack of standards issued by the federal department of justice concerning website accessibility under title III of the federal Americans with disabilities act has resulted in the need for this process.";

On page 2, in line 22, after "(C)", by inserting "the resources available to the defendant to correct the alleged website access violation;

(D)";

Also on page 2, in line 29, after the semicolon by inserting "and"; in line 30, by striking all in lines 30 through 37; following line 40, by inserting:

"(3) Except as provided further, if the defendant in the litigation that alleges a website access violation in good faith attempts to cure the alleged violation within 30 days after being provided written notice or being served a petition or complaint with sufficient detail to identify and correct the alleged violation, there shall be a rebuttable presumption that the subsequent initiation or continuance of litigation that alleges a website access violation constitutes abusive litigation. There shall not be a rebuttable presumption that such litigation is abusive litigation if the alleged website access violation is not corrected, as determined by the court, within 90 days after being provided written notice or being served a petition or complaint with sufficient detail to identify and correct the alleged violation. The trier of fact shall not determine whether such litigation is abusive litigation until after such 90-day period expires or the alleged violation is corrected, as determined by the court, whichever occurs first.";

On page 3, in line 4, by striking "shall" and inserting "may"; following line 28, by inserting:

"(g) If the federal department of justice issues standards concerning website accessibility under title III of the federal Americans with disabilities act, the attorney general shall certify to the secretary of state that such standards have been issued. Upon receipt of such certification, the secretary of state shall cause a notice of such certification to be published in the Kansas register. The provisions of this section shall expire on the date such certification is published in the Kansas register.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

and **S Sub HB 2016** be passed as amended.

The committee report on **HB 2053** recommending **S Sub HB 2053** be adopted, and the substitute bill be passed.

A motion by Senator Tyson to amend **S Sub HB 2053** failed.

The committee report on **HB 2070** recommending **S Sub HB 2070** be adopted, and

the substitute bill be passed.

The committee report on **HB 2138** recommending **S Sub HB 2138** be adopted, and the substitute bill be passed.

A motion by Senator Sykes to amend **S Sub HB 2138** failed.

The committee report on **HB 2170** recommending **S Sub HB 2170** be adopted, and the substitute bill be passed.

**SB 50** be amended by the adoption of the committee amendments.

Senator Ryckman moved **SB 50** be referred to the Committee on Judiciary. The motion carried.

**SB 60, SB 295; HB 2106** be passed over and retain a place on the calendar.

## REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2086**, As Amended by House Committee of the Whole, be amended on page 1, in line 17, by striking all after "New Section 1."; by striking all in lines 18 through 21; in line 22, by striking "(b)"; in line 31, before "No" by inserting "(a) Except as provided in subsection (b).";

On page 2, following line 2, by inserting:

"(b) Each county election officer shall create a backup copy of the hard drive of any electronic or electromechanical voting system, optical scanning equipment or any other voting system that contains a hard drive component. Such backup copies shall be created immediately prior to and immediately after any system updates, repairs or improvements and prior to and after each general election. The county election officer shall maintain such backup copies in a secured location for not less than 22 months.";

On page 4, in line 13, by striking "130,000" and inserting "100,000"; in line 27, before "Within" by inserting "Such election commissioner shall have been a qualified elector or resident of the county at least two years prior to appointment."; in line 31, by striking all after the period; by striking all in lines 32 and 33; in line 40, by striking "130,000" and inserting "100,000";

On page 13, by striking all in lines 32 through 43;

On page 14, by striking all in lines 1 through 22;

On page 25, in line 21, by striking "four" and inserting "two";

On page 33, by striking all in lines 17 through 35;

On page 39, by striking all in lines 8 through 43;

On page 40, by striking all in lines 1 through 18;

On page 47, in line 14, by striking all after the period; by striking all in lines 15 and 16; in line 17, by striking all before "Each";

On page 53, in line 31, after "state" by inserting ", after consultation on such complaint with the attorney general.";

On page 54, in line 31, by striking "25-305."; in line 34, by striking "25-2703."; in line 35, by striking "25-3005a."; in line 37, by striking all after the second comma;

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking "25-305."; in line 8, by striking "25-2703."; in line 9, by striking "25-3005a."; in line 13, by striking the fourth comma and inserting "and"; also in line 13, by striking all after "25-2601"; in line 14, by striking all before the period; and the bill be passed as amended.

Committee on **Ways and Means** recommends **Substitute for HB 2077**, As Amended by House Committee of the Whole, be amended on page 1, in line 19, by striking "12"

and inserting "48"; in line 36, by striking "12" and inserting "48";

On page 3, in line 14, by striking "12" and inserting "48"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Wednesday, March 29, 2023.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

