

Journal of the Senate

SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 10, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 38 senators present.
Senator Gossage was excused.
The invocation was offered by Reverend Cecil T. Washington.
The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 14, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2022 Supp. 40-2c01 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 15, AN ACT concerning insurance; relating to penalties; failure of agents or brokers to pay premiums; removing the requirement of a documented written demand for premiums as part of a prima facie case; amending K.S.A. 40-247 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 16, AN ACT concerning insurance; relating to third party administrators; discontinuing certain exemptions from the pharmacy benefits manager licensure act; amending K.S.A. 2022 Supp. 40-3821 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 17, AN ACT concerning insurance; relating to prepaid service plans; certificates of registration; discontinuing annual registration fees for such plans; modifying the requirement to report individuals who solicit memberships on behalf of such plans from semi-annually to annually and upon application for registration; amending K.S.A. 40-4209 and repealing the existing section; also repealing K.S.A. 40-4203, by Committee on Financial Institutions and Insurance.

SB 18, AN ACT concerning insurance; relating to insurance laws and enforcement thereof; adding certain legal entities to the definition of "person"; amending K.S.A. 40-2,125 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 19, AN ACT concerning insurance; relating to premium tax; adjusting the basis upon which certain premium tax calculations are made; requiring such premium taxes to be paid 90 days after each calendar year and basing such premium taxes upon the gross premiums collected for the previous calendar year; amending K.S.A. 12-2624 and 44-588 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 20, AN ACT concerning health and healthcare; relating to vaccine requirements; relating to child care facilities and elementary, secondary and public or private postsecondary educational institutions; prohibiting an inquiry into the sincerity of a request for an exemption from vaccine requirements; repealing the meningitis vaccine requirement to live in student housing; amending K.S.A. 65-508 and 72-6262 and K.S.A. 2022 Supp. 44-663 and repealing the existing sections; also repealing K.S.A. 76-761a, by Senators Steffen and Thompson.

SB 21, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for sales of certain school supplies during an annual sales tax holiday, by Committee on Assessment and Taxation.

SB 22, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for certain purchases and sales by the Johnson county Christmas bureau association; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 4, SB 7, SB 8.**

Education: **SB 13.**

Federal and State Affairs: **SB 3.**

Judiciary: **SB 1, SB 9, SB 12.**

Public Health and Welfare: **SB 5, SB 6.**

Transportation: **SB 2.**

Ways and Means: **SB 10, SB 11.**

REFERENCE OF APPOINTMENTS

The following appointments made by the Governor and submitted to the Senate for confirmation, were referred to Committees as indicated:

Member - 1, State Board of Indigents Defense Services:

Maurice Brewer, to serve Term ends January 01, 2024.

Member - 4, State Board of Indigents Defense Services:

Alexandra (Nicki) Rose, to serve Term ends January 15, 2025.

(Committee on Judiciary)

Member - 4, State Civil Service Board:

Chrystal Krier, to serve Term ends March 15, 2026.

Member - 2, State Civil Service Board:

Jacob (Jake) Miller, to serve Term ends March 15, 2026.

(Committee on Federal and State Affairs)

MESSAGES FROM THE GOVERNOR

Enclosed is Executive Order 23-01 for your information (January 10, 2023)

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Department for Aging and Disability Services Kansas Client Assessment, Referral

and Evaluation (CARE) & Pre-Admission Screening and Resident Review (January 9, 2023)

Department of Health and Environment Kansas Water Pollution Control Revolving Fund Annual Report (January 9, 2023)

Department of Health and Environment Dry Cleaner Annual Report (January 9, 2023)

Department of Health and Environment Kansas Public Water Supply Loan Fund Annual Report (January 9, 2023)

KPERS Working After Retirement Annual Report (January 9, 2023)

Department of Education Tax Credit for Low Income Students Scholarship Program Annual Report (January 9, 2023)

Department of Health and Environment Pregnancy Maintenance Initiative Program Annual Report (January 9, 2023)

Department for Aging and Disabilities 988 Annual Report (January 9, 2023)

Coordinating Council 988 Annual Report 2023 (January 9, 2023)

Kansas Water Office Annual Report (January 10, 2023)

Department for Aging and Disability Services Transitional and Conditional Release of Persons Committed to the Sexual Predator Treatment Program Annual Report (January 10, 2023)

State Treasurer Annual Report (January 10, 2023)

State Department of Education report on Early Retirement Survey USD totals 2022 (January 10, 2023)

MESSAGE FROM THE HOUSE

Announcing adoption of **HR 6001**, a resolution relating to the organization of the 2023 House of Representatives and selection of the following officers:

Dan Hawkins, Speaker of the House

Blake Carpenter, Speaker Pro Tem

Chris Croft Majority Leader

Vic Miller, Minority Leader

Susan Kannarr, Chief Clerk

Foster Chisholm, Sgt. At Arms

and awaits the pleasure of the Senate.

Announcing adoption of **HCR 5001**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor and for the purpose of hearing a message from the Supreme Court.

The following escorts are appointed:

For the State of the State:

To escort the Governor: Representatives Francis, Waymaster and Susan Ruiz

To escort the Lt. Governor: Representatives Wasinger, Laura Williams and Weigel

To escort the Supreme Court: Representatives Patton, Schreiber and Osman

To escort the Senate: Representatives Blew, Sanders and Haswood

For the State of the Judiciary:

To escort the Supreme Court: Representatives Patton, Titus and Meyer

To escort the Senate: Representatives Neelly, Lewis and Featherston

Announcing adoption of **SCR 1601**, a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2023 session of the Legislature is duly organized and ready to receive communication. The Secretary of the Senate and Chief Clerk of the House were appointed as to wait upon the Governor.

HCR 5001, A CONCURRENT RESOLUTION providing for joint sessions of the Senate and the House of Representatives for the purpose of hearing messages from the Governor and the Supreme Court, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5001** was adopted by voice vote.

Vice President Wilborn appointed the following escorts for the State of the Judiciary:
To escort the Supreme Court: Senators Warren and Corson.

REPORTS OF STANDING COMMITTEES

Committee on **Confirmation Oversight** begs leave to submit the following report:

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

By the Governor:

Member, Kansas Human Rights Commission: K.S.A. 44-1003

Harold Schorn, to fill a term expiring on January 15, 2026

Member, Kansas Lottery Commission: K.S.A. 74-8709

Pete Brungardt, to fill a term expiring on March 15, 2026

Member, Pooled Money Investment Board: K.S.A. 75-4221a

Steven Bowser, to fill a term expiring on March 15, 2026

Member, Public Employee Relations Board: K.S.A. 75-4323

Donald "Rick" Wiley, to fill a term expiring on March 15, 2026

Member, State Banking Board: K.S.A. 75-3004

Lea Tatum-Haskell, to fill a term expiring on March 15, 2025

Ruth Stevenson, to fill a term expiring on March 15, 2025

Patrick Walden, to fill a term expiring on March 15, 2025

Member, State Board of Indigents' Defense Services: K.S.A. 22-4579

Erica Andrade, to fill a term expiring on January 15, 2025

Michael Birzer, to fill a term expiring on January 15, 2025

Patricia Hudgins, to fill a term expiring on January 15, 2025

Member, State Board of Regents: K.S.A. 74-3202a

Blake Benson, to fill a term expiring on June 30, 2026

John Dicus, to fill a term expiring on June 30, 2026

Diana Mendoza, to fill a term expiring on June 30, 2026

Librarian, State Librarian: K.S.A. 75-2535

Ray Walling, to serve at the pleasure of the Governor

Member, University of Kansas Hospital Authority: K.S.A. 76-3304

Dr. Talal Khan, to fill a term expiring on March 15, 2026

Anne St. Peter, to fill a term expiring on March 15, 2026

By the State Board of Healing Arts

Executive Director, State Board of Healing Arts: K.S.A. 65-2812

Susan Gile, to serve at the pleasure of the Board

JANUARY 10, 2023

13

By the Attorney General:
Member, Crime Victims Compensation Board: K.S.A. 74-7303
Stuart Hite, to fill a term expiring on March 15, 2026

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, January 11, 2023.

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

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