

Journal of the Senate

SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 18, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 36 senators present.
Senators Claeys, Gossage and Holland were excused.
Invocation by Reverend Cecil T. Washington:

Love's Challenge: Same Battle, Same Bullets, Same Mud, Same Blood
Acts 17:26-31; 1 Corinthians 1:11

Heavenly Father, in challenging us with the need to love one another, You gave us the example of Dr. M. L. King, Jr.; that love for our neighbor is central to unity and peaceful coexistence. So, help us Lord, to overcome the challenge of love, having to love folk that are different; different in how we think, how we look and how we act. And sometimes, even those that are closest to us are a challenge to love.

But Lord, according to Acts 17:26-27, beginning with Adam, You made all of us different, yet all with the same need; to follow after You. So, Lord, help us in sustaining the battle, to overcome the pride of divisiveness, that we may lovingly unite under Your rule-ship.

Lord, let the spirit of this allegory register with each of us. In the military there was a squad of eight soldiers and like us, they were different; different in cultures, ethnic ties, religions and philosophies. But similarly, for the cause of freedom, they were in the thick of battle.

When the war ended, as different as they were, they were bosom friends for the rest of their lives. The story questions, how could folks so unlike each other, get to be so close? It was revealed that their focus was more on the fight that connected them than things dividing them.

They said, as we should say, "we're fighting the *Same Battles*, dodging the *Same Bullets*, crawling through the *Same Mud* and spilling the *Same Blood*."

So, Lord, bless us with the heart of Apostle Paul. In 1 Corinthians 11:1, he said follow his example, as he followed the example of Christ, the epitome of sacrificial love. I pray this prayer in His Name. Amen!

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 42, AN ACT concerning certain claims against the state; making appropriations; authorizing certain transfers; imposing certain restrictions and limitations; directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Joint Committee on Special Claims Against the State.

SB 43, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, for the university of Kansas medical center; relating to conducting certain clinical trials at the midwest stem cell therapy center, by Committee on Public Health and Welfare.

SB 44, AN ACT concerning financial institutions; relating to cybersecurity; enacting the Kansas financial institutions information security act; requiring certain covered entities to protect customer information; authorizing the state bank commissioner to adopt rules and regulations; providing penalties for violations of such act, by Committee on Financial Institutions and Insurance.

SB 45, AN ACT concerning the state children's health insurance program; relating to eligibility; updating income requirements therefor; amending K.S.A. 38-2001 and repealing the existing section, by Committee on Ways and Means.

SB 46, AN ACT concerning wind energy conversion systems; relating to aviation obstruction lighting; requiring existing wind energy conversion systems to install light-mitigating technology systems subject to the approval of the federal aviation administration, by Committee on Utilities.

SB 47, AN ACT concerning cities and counties; prohibiting the regulations of consumer merchandise and of auxiliary containers that are designed for the consumption, transportation or protection of consumer merchandise, by Committee on Commerce.

SB 48, AN ACT concerning postsecondary education; relating to the postsecondary technical education authority; authorizing community college and technical college appointments thereto; establishing the length of membership terms; making ex officio members non-voting; amending K.S.A. 74-32,401 and repealing the existing section, by Committee on Education.

SB 49, AN ACT concerning wind energy conversion systems; relating to aviation obstruction lighting; requiring new wind energy conversion systems to be constructed with light-mitigating technology systems prior to the commencement of operations subject to the approval of the federal aviation administration, by Committee on Utilities.

SB 50, AN ACT concerning consumer protection; relating to terms of service for social media websites; prohibiting censorship of certain speech made via such websites, by Senators Steffen, Straub and Thompson.

SB 51, AN ACT concerning financial institutions; relating to the technology-enabled fiduciary financial institutions act; definitions; authorizing the state bank commissioner to accept state and national criminal history record checks from private entities; amending K.S.A. 9-2301 and 9-2302 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 52, AN ACT concerning income taxation; relating to Kansas adjusted gross income; increasing the income limit to qualify for the subtraction modification for social security benefits; providing a subtraction modification for certain amounts received from retirement plans; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

SB 53, AN ACT concerning sales taxation; relating to exclusions from the sales or selling price; excluding manufacturers' coupons; amending K.S.A. 2022 Supp. 79-3602c and repealing the existing section, by Committee on Assessment and Taxation.

SB 54, AN ACT concerning sales taxation; relating to rates; expanding the eligible uses for the 0% state rate for sales of certain utilities and providing for the levying of such tax by cities and counties; amending K.S.A. 12-189a and K.S.A. 2022 Supp. 79-3603 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 55, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for sales of certain school supplies, computers and clothing during an annual sales tax holiday, by Committee on Assessment and Taxation.

SB 56, AN ACT concerning income taxation; relating to the determination of Kansas adjusted gross income; increasing the income limit to qualify for a subtraction modification for social security income; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

SB 57, AN ACT concerning taxation; relating to sales and compensating use tax; reducing the rate of tax on sales of food and food ingredients; providing an exemption for sales of children's diapers and feminine hygiene products; relating to STAR bonds; establishing the STAR bonds food sales tax revenue replacement fund and providing certain transfers thereto; altering the calculation for STAR bond districts; relating to income tax; discontinuing the food sales tax credit; amending K.S.A. 12-17,162 and K.S.A. 2022 Supp. 79-32,271, 79-3603, 79-3603d, 79-3606, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 58, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for certain purchases by disabled veterans of the armed forces of the United States, by Senators Peck, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Kloos and Pittman.

SB 59, AN ACT concerning days of commemoration; designating "Martin Luther King, Jr. Day at the Capitol.", by Senators Faust Goudeau and Haley.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 37**, **SB 40**, **SB 41**.

Commerce: **SB 34**, **SB 38**.

Federal and State Affairs: **SB 36**, **SB 39**.

Ways and Means: **SB 35**.

Under the authority of the President, the Vice President referred **SB 55** to the Committee on **Assessment and Taxation**.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 37** from the Committee on **Assessment and Taxation**, and referred the bill to the Committee on **Financial Institutions and Insurance**.

Under the authority of the President, the Vice President withdrew **SB 34** from the Committee on **Commerce**, and referred the bill to the Committee on **Financial Institutions and Insurance**.

COMMUNICATIONS FROM STATE OFFICERS

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

- Kansas Board of Regents KTIP Report (January 13, 2023)
- Kansas Board of Regents KAN-ED Annual Report (January 13, 2023)
- Kansas Board of Regents Qualified Admissions Annual Report (January 13, 2023)
- Kansas Board of Regents Student Financial Assistance Programs Annual Report (January 13, 2023)
- Department of Wildlife and Parks Annual Report on Hunters Feeding the Hungry (January 17, 2023)
- Department of Education Career and Technical Education Report (January 17, 2023)
- Department of Credit Unions Annual Report (August 30, 2022)
- Office of the Attorney General Annual Report of Kansas Personal and Family Protection Act (December 15, 2023)

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5003**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

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

HCR 5003, A CONCURRENT RESOLUTION providing for a joint session of the Senate and the House of Representatives for the purpose of hearing a message from the Governor, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5003** was adopted by voice vote.

Vice President Wilborn appointed the following Senators as escorts for the State of the State:

- To escort the Governor: Senators McGinn and Ware
- To escort the Lt. Governor: Senators Dietrich and Faust Goudeau
- To escort the Supreme Court: Senators Warren and Haley

REPORTS OF STANDING COMMITTEES

Your Committee on **Judiciary** 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:

Judge, Court of Appeals: K.S.A. 2022 Supp. 20-3020

Rachel Pickering, to fill a term expiring on January 13, 2025

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, January 19, 2023.

JANUARY 18, 2023

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

