

Journal of the Senate

EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 19, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 37 senators present.

Senators Gossage and Holland were excused.

Invocation by Reverend Cecil T. Washington:

Building Wisely vs Building Foolishly
Luke 6:46-49; Proverbs 3:5-7; Ephesians 2:20

Gracious Lord, in Luke 6:46-49, You raise this thought-provoking question. Why do people call out to You Lord, but then don't do what You say? You then give us a vision of the consequences.

When we *COME* to You, *LISTEN* to Your teaching and *FOLLOW*, it's like having a house that stands firm and strong against destructive forces because it's well built and positioned on solid rock. Lord, as our Master Architect and Building Consultant, You have given us, in Your Holy Word, the specifics to follow, as we formulate plans and move to carry them out.

In Proverbs 3:5-7, You promise to direct and guide us if we trust YOU instead of our own way of thinking and processing things. But when plans fail and what we're trying to build crumbles, I can hear You say, like my Grandmother used to say, "You didn't do what I told you to do!" And like the old cell phone commercial, "Can you hear Me now?"

Lord, we don't want our works to be shaky or unstable, but solid enough to stand in mighty ways. Down through generations, Your Word has been the consultant for success. Thank You for *NOT* leaving us to our frail human strategies.

Lord, I'm coming to You in the Name of Him, Who according to Ephesians 2:20, is the Master Bedrock for us to build upon. Amen!

The Pledge of Allegiance was led by President Masterson.

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.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 60, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for custom meat processing services; amending K.S.A. 2022 Supp. 79-3606

and repealing the existing section, by Committee on Assessment and Taxation.

SB 61, AN ACT concerning taxation; relating to income tax rates; providing a 5% tax rate for individuals and corporations and providing that future tax rate decreases be contingent on exceeding revenue estimates; relating to privilege tax rates; decreasing the surtax; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2022 Supp. 79-32,110 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 62, AN ACT concerning securities; relating to financial exploitation and the protection of vulnerable adults therefrom; enacting the protect vulnerable adults from financial exploitation act; requiring reporting of instances of suspected financial exploitation under certain circumstances; providing civil and administrative immunity to individuals who report such instances; amending K.S.A. 17-12a412 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 63, AN ACT concerning elections; relating to the campaign finance act; expanding the scope of permitted uses of campaign contributions to include family caregiving services; amending K.S.A. 25-4157a and repealing the existing section, by Senators Corson, Blasi, Claeys, O'Shea, Pittman and Straub.

SB 64, AN ACT concerning certain statewide elected officials; prohibiting outside employment or income to the office holder or officer holder's family, by Senator Corson.

SB 65, AN ACT concerning abortion; authorizing cities and counties to enact local laws more stringent than state law regarding regulation of abortion; amending K.S.A. 65-6702 and repealing the existing section, by Committee on Federal and State Affairs.

SB 66, AN ACT concerning education; relating to teacher licensure; enacting the interstate teacher mobility compact; recognizing equivalent teacher licenses from other member states, by Committee on Education.

SB 67, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2023, for the department of administration; authorizing certain transfers from the state general fund to the budget stabilization fund of the department of administration, by Committee on Ways and Means.

SB 68, AN ACT concerning electric transmission lines; relating to construction and ownership of certain electric transmission lines; providing incumbent electric transmission owners a right of first refusal, by Committee on Utilities.

SB 69, AN ACT concerning reapportionment; relating to congressional, state senatorial, representative and board of education districts; imposing requirements for the drawing thereof, by Senator Corson.

SB 70, AN ACT concerning labor and employment; increasing the minimum wage; enacting the making work pay act; amending K.S.A. 44-1203 and repealing the existing section, by Senator Corson.

SB 71, AN ACT concerning agriculture; relating to the Kansas department of agriculture; requiring the secretary of agriculture to establish a division of sustainable agriculture that shall apply for federal grant funds under the greenhouse gas reduction fund to assist farmers in converting to renewable energy and sustainable agriculture practices, by Senators Alley and Francisco.

SB 72, AN ACT concerning civil procedure; relating to the rules of evidence; creating a hearsay evidence exception for statements made to translators; amending K.S.A. 2022 Supp. 60-460 and repealing the existing section, by Committee on Judiciary.

SB 73, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving property; burglary and aggravated burglary; adding domestic battery and violation of a protection order to the list of crimes a person has intent to commit; amending K.S.A. 2022 Supp. 21-5807 and repealing the existing section, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 52, SB 53, SB 54, SB 56, SB 57, SB 58.**

Commerce: **SB 47.**

Education: **SB 48.**

Federal and State Affairs: **SB 50, SB 59.**

Financial Institutions and Insurance: **SB 44, SB 51.**

Public Health and Welfare: **SB 43, SB 45.**

Utilities: **SB 46, SB 49.**

Ways and Means: **SB 42.**

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointments submitted to the Senate for confirmation were considered:

Senator Alley moved the following appointments be confirmed as recommended by the Committee on **Confirmation Oversight**:

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Erica Andrade, Term ends January 15, 2025

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Blake Benson, Term ends June 30, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Michael Birzer, Term ends January 15, 2025

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Pooled Money Investment Board:

Steven Bowser, Term ends March 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Lottery Commission:

Pete Brungardt, Term ends March 15, 2026

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 1; Absent or Not Voting 2.

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

Present and Passing: Pyle.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

John Dicus, Term ends June 30, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Board of Healing Arts

On the appointment to the:

State Board of Healing Arts:

Susan Gile

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Attorney General

On the appointment to the:

Kansas Crime Victims Compensation Board:

Stuart Hite, Term ends March 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Patricia Hudgins, Term ends January 15, 2025

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Talal Khan, Term ends March 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle,

Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Diana Mendoza, Term ends June 30, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Court of Appeals:

Rachel Pickering

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Human Rights Commission:

Harold Schorn, Term ends January 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Anne St. Peter, Term ends March 15, 2025

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos,

Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Librarian:

Ray Walling, At the pleasure of the governor

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Public Employee Relations Board:

Donald (Rick) Wiley, Term ends March 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 3** be passed.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m. Friday, January 20, 2023.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

