

Journal of the Senate

FIFTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 27, 2024, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Cecil T. Washington.
The Pledge of Allegiance was led by President Masterson.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2510; Sub HB 2609; HB 2653, HB 2757,**

Announcing adoption of **HCR 5026.**

Announcing passage of **SB 360.**

Announcing passage of **SB 37,** as amended by **H Sub SB 37; SB 172,** as amended by **H Sub SB 172; SB 271,** as amended by **H Sub SB 271; SB 300,** as amended by **H Sub SB 300; SB 387,** as amended by **H Sub SB 387.**

The House adopts the Conference Committee report on **H Sub SB 233.**

Announcing passage of **SB 379, SB 362, SB 430.**

Announcing passage of **SB 318,** as amended by **H Sub SB 318; SB 419,** as amended by **H Sub SB 419; SB 420,** as amended by **H Sub SB 420; SB 232,** as amended by **H Sub SB 232; SB 349,** as amended by **H Sub SB 349.**

Announcing passage of **SB 414,** as amended; **SB 438,** as amended; **SB 500,** as amended.

The House nonconcurrs in Senate amendments to **HB 2392,** requests a conference and has appointed Representatives Ellis, Dodson, M. and Weigel as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2501,** requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2560,** requests a conference and has appointed Representatives Hoheisel, Clifford and Xu as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2663,** requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2760,** requests a conference and has appointed Representatives Ellis, Dodson, M. and Weigel as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2510; Sub HB 2609; HB 2653, HB 2757; HCR 5026 were thereupon introduced and read by title.

CONSIDERATION OF ORIGINAL MOTIONS

The motion by Senator Holscher on **SB 551** to withdraw from the Committee on **Federal and State Affairs** and advance the bill to **General Orders** below the line, was not adopted by the required 24 affirmative votes.

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

On roll call, the vote was: Yeas 9; Nays 28; Present and Passing 3; Absent or Not Voting 0.

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

Nays: 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, Wilborn.

Present and Passing: Holland, Pittman, Warren.

EXPLANATION OF VOTE

As a majority owner of a Kansas firearms manufacturing company, I have a conflict of interest in voting on this bill. Therefore, I pass on voting on the motion.—Tom HOLLAND

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 Longbine in the chair.

On motion of Senator Longbine the following summary report was adopted.

HB 2453, HB 2491, HB 2536, HB 2549, HB 2754 be passed.

SB 457; HB 2614 be amended by Committee of the Whole.

S Sub HB 2047, S Sub HB 2436 be passed by adoption of the committee reports recommending substitute bills.

SB 426, SB 532, SB 544, SB 553; HB 2527; Sub HB 2570; HB 2588, HB 2614, HB 2618, HB 2675, HB 2784 be amended by the adoption of the committee reports.

SB 367, SB 552; HB 2358 be amended by the adoption of the committee reports and as further amended by Committee of the Whole

SCR 1609 be adopted.

COMMITTEE OF THE WHOLE ACTIONS

SB 367 be amended by the adoption of the committee amendments, be further amended by motion of Senator Thompson; on page 1, by striking all in lines 8 through 18; in line 28, after "(3)" by inserting "'Governmental agency" means the state or any agency or political subdivision or instrumentality thereof.

(4)";

Also on page 1, in line 31, after "(c)" by inserting "(1)"; in line 32, by striking "or the federal government"; in line 35, by striking "or"; by striking all in line 36;

On page 2, in line 1, by striking all before the period; also in line 1, after the period by inserting:

"(2) No governmental agency, including, but not limited to, any election official, shall knowingly accept or expend any moneys, directly or indirectly, from the federal government, except as provided in any acts of appropriation or as otherwise provided by state law, for any expenditures related to conducting, funding or otherwise facilitating the administration of an election pursuant to law or for any election-related activities, including, but not limited to, voter registration and voter assistance.";

And by renumbering sections accordingly

SB 426 be amended by the adoption of the committee amendments.

SB 457 be amended by motion of Senator Fagg; on page 3, in line 8, by striking "generation"

SB 532 be amended by the adoption of the committee amendments.

SB 544 be amended by the adoption of the committee amendments.

SB 552 be amended by the adoption of the committee amendments, be further amended by motion of Senator Billinger; on page 2, in line 21, after "2029," by inserting "and"; also in line 21, by striking all after "2030,"; in line 22, by striking all before "or";

On page 3, in line 1, by striking "2036" and inserting "2031"; in line 7, by striking "2036" and inserting "2031"; in line 38, by striking "2036" and inserting "2031"

SB 553 be amended by the adoption of the committee amendments.

HB 2047 be amended by the adoption of the committee report on **HB 2047** recommending **S Sub HB 2047**.

HB 2358 be amended by the adoption of the committee amendments, be further amended by motion of Senator Steffen; on page 3, in line 6, by striking all after "(d)"; by striking all in lines 7 and 8; in line 9, by striking "(e)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

HB 2436 be amended by the adoption of the committee report on **HB 2436** recommending **S Sub HB 2436**.

A motion by Senator Sykes to amend **S Sub HB 2436** failed.

HB 2453 be passed.

HB 2491 be passed.

HB 2527 be amended by the adoption of the committee amendments.

HB 2536 be passed.

HB 2549 be passed.

Sub HB 2570 be amended by the adoption of the committee amendments.

HB 2588 be amended by the adoption of the committee amendments.

HB 2614 be amended by motion of Senator Thompson; on page 6, in line 16, by striking "statute book" and inserting "Kansas register"

HB 2614 be further amended by motion of Senator Francisco; on page 2, in line 8, by striking "affected"; in line 9, by striking the second "of" and inserting "known to the

agency to be affected by"

HB 2618 be amended by the adoption of the committee amendments.

HB 2675 be amended by the adoption of the committee amendments.

HB 2711 be amended by the adoption of the committee amendments, be further amended by motion of Senator McGinn; on page 20, following line 22, by inserting:

"Sec. 6. K.S.A. 74-4989 is hereby amended to read as follows: 74-4989. (1) (a) Except as provided in paragraph (b), pursuant to the provisions of K.S.A. 74-49,128, and amendments thereto, upon the death of a retirant, the board of trustees of the Kansas public employees retirement system shall pay a lump-sum death benefit to: (i) The retirant's beneficiary ~~which that~~ shall not exceed ~~\$4,000~~ \$6,000 for such retirant, less any amount payable for funeral benefits under the applicable provisions of any local police or fire pension plan, as defined by ~~subsection (e) of K.S.A. 12-5001(c)~~, and amendments thereto; ~~or to~~ (ii) a funeral establishment as directed by the retirant and filed in the office of the system prior to such retirant's death.

(b) Notwithstanding the provisions of K.S.A. 74-4923, and amendments thereto, any amounts owed the system shall be deducted from such lump-sum death benefit.

(2) As used in this section, "retirant" means any person who is a member or special member of the Kansas public employees retirement system, the Kansas police and firemen's retirement system, the state school retirement system or the retirement system for judges and who has retired.

Sec. 7. K.S.A. 74-49,315 is hereby amended to read as follows: 74-49,315. A member's beneficiary shall be determined as provided in the pre-2015 plan. Upon filing a written application with the board after the death of a member receiving a benefit under ~~subsections (a) or (b) of K.S.A. 74-49,313(a) or (b)~~, and amendments thereto, the member's beneficiary is entitled to a ~~\$4,000~~ the lump-sum death benefit as provided in K.S.A. 74-4989, and amendments thereto.";

Also on page 20, in line 23, by striking the first "and" and inserting a comma; also in line 23, after "74-4957a" by inserting ", 74-4989 and 74-49,315";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the first semicolon by inserting "increasing the lump-sum death benefit;"; in line 12, by striking the first "and" and inserting a comma; also in line 12, after "74-4957a" by inserting ", 74-4989 and 74-49,315"

HB 2754 be passed.

HB 2784 be amended by the adoption of the committee amendments.

SCR 1609 be adopted.

Senator Olson moved **SCR 1609** be referred to the Committee on Judiciary. The motion failed.

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

On roll call, the vote was: Yeas 16; Nays 22; Present and Passing 0; Absent or Not Voting 2.

Yeas: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pettey, Pyle, Reddi, Shallenburger, Steffen, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Peck, Petersen, Pittman, Ryckman, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: McGinn, O'Shea.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Tyson, the Senate acceded to the request of the House for a conference on **S Sub HB 2036**.

The President appointed Senators Tyson, Peck and Holland as conferees on the part of the Senate.

On motion of Senator McGinn, the Senate acceded to the request of the House for a conference on **HB 2176**.

The President appointed Senators McGinn, Bowers and Francisco as conferees on the part of the Senate.

On motion of Senator Tyson, the Senate acceded to the request of the House for a conference on **HB 2465**.

The President appointed Senators Tyson, Peck and Holland 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 2481**.

The President appointed Senators Petersen, Kloos 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 2498**.

The President appointed Senators Petersen, Kloos 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 2530**.

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 2531**.

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 2532**.

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 2562**.

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

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

S Sub HB 2124, AN ACT concerning alcoholic liquor; relating to microbreweries; permitting the sale of beer and hard cider manufactured by the licensee to retailers, public venues, clubs, drinking establishments, holders of temporary permits and caterers; allowing the sale of such beer and hard cider in unopened containers to consumers at special events monitored and regulated by the division of alcoholic beverage control; amending K.S.A. 41-308b, 41-410, 41-601, 41-701, 41-702, 41-703,

41-706, 41-708, 41-709, 41-728, 41-1101, 41-1202 and 41-2642 and K.S.A. 2023 Supp. 41-1201 and repealing the existing sections, 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, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Peck, Steffen.

The substitute bill passed.

S Sub HB 2144, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of organized retail crime and providing criminal penalties for violation thereof; relating to theft; increasing penalties for theft of certain property; relating to the Kansas racketeer influenced and corrupt organization act; including organized retail crime in the definition of racketeering activity; relating to the attorney general; authorizing the attorney general to prosecute specified crimes that are part of an alleged course of criminal conduct that occurred in two or more counties; amending K.S.A. 21-5801 and 21-6328 and K.S.A. 2023 Supp. 75-702 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 30; Nays 10; Present and Passing 0; Absent or Not Voting 0.

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

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

The substitute bill passed, as amended.

HB 2446, AN ACT concerning cities and counties; prohibiting the regulation of plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages, was considered on final action.

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, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

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

The bill passed.

EXPLANATION OF VOTE

I vote "NO" on **HB 2446**. Home rule was enacted in 1960 as part of our constitution; Article 12, Section 5 of the Kansas Constitution "Powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measure of self-government." This home rule gives communities the ability to enact ordinances addressing their particular concerns. The City of Lawrence chose to

enact an ordinance to regulate single-use plastic bags based on detailed review, identification of concerns for public health and the environment, and the city's costs of recycling and solid waste collection. The ordinance went into effect on March 1st and has been well received. It may be appropriate to address these concerns on a state-wide basis, but this bill simply avoids the issues. The City of Lawrence should be able to continue and other communities throughout the state be given the opportunity to regulate plastic and other containers designed for the consumption, transportation or protection of merchandise, food, or beverages tailored to their solid waste programs and their needs.—MARCI FRANCISCO

Senator Holland requests the record to show he concurs with the "Explanation of Vote" offered by Senator Francisco on **HB 2446**.

I recall during the hearing on this bill an individual saying "this bill has been recycled more than actual plastic bags." It can take thousands of years for a plastic bag to decompose; it seems that is the same for this bill. Citizens want local governments to make decisions that reflect their unique communities - this bill violates the spirit of local control ingrained in the constitution. The biggest issue is **HB 2446** does nothing positive to address the bigger problem of plastic pollution in Kansas, rather it's a preemptive measure where once again the legislature overstepping it's boundaries.—CINDY HOLSCHER

Senators Francisco and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Holscher on **HB 2446**.

Here we go again! **HB 2446** ignoring Home Rule. The Kansas Chamber must be going into the plastics production business because this bill will insure that Kansas continues to be further buried in plastic waste. Adopted by Kansas voters in the 1960 general election and taking effect July 1, 1961, Article 12, Section 5 of the Kansas Constitution authorized cities to be "empowered to determine their local affairs and government."and thus significantly altering the relationship between the State and it's municipal governments. It ends by saying, the "powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measured of self government."—MARY WARE

HB 2483, AN ACT concerning audits; relating to the legislative division of post audit; eliminating the requirement for such division to conduct a recurring 911 implementation audit and a recurring Kansas public employees retirement system audit limiting recurring economic development incentive audits to new programs providing more than \$50,000 of annual incentives that have not previously been audited and have been recommended for review by the house or senate commerce committees; amending K.S.A. 12-5377 and 46-1137 and repealing the existing sections; also repealing K.S.A. 46-1136, 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, 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.

Nays: Holland.

The bill passed, as amended.

EXPLANATION OF VOTE

Given the fact that Kansas' Secretary of Commerce also concurrently serves as Lieutenant Governor, the Commerce Department's economic development programs need more external oversight, not less. I vote "NO" on **HB 2483**.—TOM HOLLAND

HB 2547, AN ACT concerning schools; relating to student health; authorizing the maintenance of emergency medication kits for certain life-threatening conditions; requiring a prescription for distribution of emergency medication to schools; providing requirements for the administration of emergency medication by school personnel, training; exempting certain persons from the practice of healing arts and civil liability if acting in good faith; amending K.S.A. 65-1680, 65-2872b and 72-6283 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 2551, 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, 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 2583, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public morals; increasing the criminal penalty for harming or killing certain dogs and horses; requiring restitution for such crime to include veterinary medical treatment, funeral and burial expenses and replacement of such animal; amending K.S.A. 21-6416 and 21-6604 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 25; Nays 15; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Francisco, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Petersen, Pittman, Ryckman, Steffen, Straub, Thompson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Haley, Holland, Holscher, Olson, Peck, Pettey,

Pyle, Reddi, Shallenburger, Sykes, Tyson, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

I vote “NO” on **HB 2583** which increases “criminal penalties for harming or killing certain (aka ‘police’) dogs...requiring restitution including veterinary medical treatment, funeral , burial expense and replacement of such animal.“ As the solo sponsor, and multi-year advocate (prior to its’ passage), of the legislation creating a felony in Kansas for extreme cruelty or neglect of an animal (once referred to as “Scruffy’s Law”), my care and compassion for the treatment of animals has no, if any, legislative equal here in Kansas. But without a clarifying exemption of cases of self-defense (which several Circuit courts have affirmed), the oxymoron of a person being attacked by a vicious dog and not vigorously defend themselves, even killing the dog if necessary, to be held to a heightened legal system and excessive costs is unrealistic. In fact, it is cruel and inhumane against the human, in and of itself. Illustrations abound of cops, and near cops, siccing dogs on people for even petty reasons (including disturbing the peace; peaceably assembling; shoplifting; fleeing and eluding, etc...) where there were no issues of clear and present danger to any person or to general public safety. History is littered with tawdry examples of this raw abuse of over aggressive animal-conferred vicarious violence against men, women even juveniles. Indeed cases exist where compliant, even surrendering, individuals are yet attacked by dogs unresponsive to cease commands. Even bystanders and other police officers have been collateral victims. In that it only makes sense that a service animal may get hurt or killed while it is in the process of trying to hurt or to kill, I cannot support any measure that greatly penalizes a human for a natural response of self-defense. Accordingly, I strenuously vote AGAINST **HB 2583**.—DAVID HALEY

HB 2607, AN ACT concerning agriculture; relating to the Kansas department of agriculture; the Kansas pesticide law; the Kansas chemigation safety law; requiring supervision and training for uncertified applicators; clarifying definition of governmental agency; requiring applicants to file certificates of liability insurance or surety bonds in lieu of letters of credit or proof of an escrow; government agency certification for pesticide applications in the sodium cyanide predator control category; requiring direct supervision of registered pest control technicians by a certified commercial applicator when applying restricted use pesticides; expanding applicability of civil penalty provisions to any person or entity that violates the Kansas pesticide law; adding additional categories of qualification for certification and licensing; updating private applicator certificate requirements; allowing the secretary to establish a training program for initial certification of private applicators as an alternative to a written examination; requiring additional information in statements of service or contracts; government agencies to maintain records relating to each application of pesticide made by such government agency; applying the same criminal penalty to certified private applicators as other persons for violations of the Kansas pesticide law; removing the secretary’s authority to deny, suspend, revoke or modify a permit if an applicant, registrant or permit holder has been convicted or pled guilty to a state or federal felony; amending K.S.A. 2-2438a, 2-2440, 2-2440b, 2-2440e, 2-2443a, 2-2444a, 2-2445a, 2-2446, 2-2448, 2-2449, 2-2450, 2-2455, 2-2461, 2-2467a and 2-3310 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, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Olson.

The bill passed, as amended.

HB 2628, AN ACT concerning children and minors; relating to child fatality records; requiring the secretary for children and families to release certain information related to a child fatality when criminal charges are filed with a court alleging that a person caused such fatality; amending K.S.A. 2023 Supp. 38-2212 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 2648, AN ACT concerning administrative rules and regulations; requirements for adoption of rules and regulations; providing that agency adjudications shall not be used to establish policies that are rules governing future private conduct that have the force of law; relating to economic impact statements; requiring legislative ratification for certain rules and regulations; requiring the director of the budget to review an agency's determination of implementation and compliance costs and disapprove proposed rules and regulations with incomplete or inaccurate economic impact statements; removing a requirement that legislative post audit conduct an audit in 2026 pertaining to economic impact statements; amending K.S.A. 2023 Supp. 77-415, 77-416 and 77-420 and repealing the existing sections, was considered on final action.

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

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

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

The bill passed.

HB 2690, AN ACT concerning emergency communication services; establishing the state 911 board; abolishing the 911 coordinating council; transferring the powers, duties and functions of the 911 coordinating council to the state 911 board; authorizing the board to appoint an executive director and other employees to carry out the powers, duties and functions of the board; abolishing the 911 operations fund, the 911 state grant fund and the 911 state fund and establishing the state 911 operations fund, the state 911

grant fund and the state 911 fund in the state treasury; authorizing governing bodies of cities or counties to contract for the provision of 911 PSAP services with another governing body of a PSAP; increasing the amount of 911 fee distributions to PSAPs and governing bodies; amending K.S.A. 12-5362, 12-5363, 12-5364, 12-5365, 12-5366, 12-5367, 12-5368, 12-5368, as amended by section 16 of this act, 12-5368, as amended by section 17 of this act, 12-5369, 12-5370, 12-5371, 12-5372, 12-5374, 12-5374, as amended by section 23 of this act, 12-5374, as amended by section 24 of this act, 12-5375, 12-5375, as amended by section 26 of this act, 12-5375, as amended by section 27 of this act, and 12-5377 and repealing the existing sections; also repealing K.S.A. 12-5364, as amended by section 12 of this act, 12-5378 and 12-5379, 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, Pettet, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

The bill passed, as amended.

HB 2715, AN ACT concerning insurance; relating to the powers, duties and responsibilities of the commissioner of insurance; authorizing the commissioner of insurance to set the amount of certain fees; requiring the publication of such fees in the Kansas register; amending K.S.A. 40-205a, 40-218, 40-252, 40-2133, 40-504, 40-956, 40-22a04, 40-2604, 40-2702, 40-3213, 40-3304, 40-3812, 40-3813, 40-4103, 40-4116, 40-4323, 40-4334, 40-4503, 40-5003 and 40-5509 and K.S.A. 2023 Supp. 40-3823, 40-3824, 40-4209, 40-4302 and 40-4903 and repealing the existing sections; also repealing K.S.A. 40-3217, 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, Pettet, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2787, AN ACT concerning property and casualty insurance; relating to the Kansas insurance guaranty association act; updating certain definitions, terms and conditions thereto; establishing continuity of guaranty fund coverage when a policy is transferred from one insurer to another and of guaranty fund coverage related to cybersecurity insurance; authorizing the commissioner of insurance to reduce the number of members of the association's board of directors; amending K.S.A. 40-2903, 40-2905, 40-2906 and 40-2910 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.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator McGinn the Senate nonconcurred in the House amendments to **SB 384** and requested a conference committee be appointed.

The Vice President appointed Senators McGinn, Bowers and Francisco as a conference committee on the part of the Senate.

On motion of Senator Kloos the Senate nonconcurred in the House amendments to **SB 142** and requested a conference committee be appointed.

The Vice President appointed Senators Petersen, Kloos and Corson as a conference committee on the part of the Senate.

On motion of Senator Kloos the Senate nonconcurred in the House amendments to **H Sub SB 143** and requested a conference committee be appointed.

The Vice President appointed Senators Petersen, Kloos and Corson as a conference committee on the part of the Senate.

On motion of Senator Kloos the Senate nonconcurred in the House amendments to **SB 359** and requested a conference committee be appointed.

The Vice President appointed Senators Petersen, Kloos and Corson as a conference committee on the part of the Senate.

On motion of Senator Kloos the Senate nonconcurred in the House amendments to **SB 462** and requested a conference committee be appointed.

The Vice President appointed Senators Petersen, Kloos and Corson as a conference committee on the part of the Senate.

On motion of Senator Baumgardner the Senate nonconcurred in the House amendments to **SB 438** 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 Thompson the Senate nonconcurred in the House amendments to **H Sub SB 291** and requested a conference committee be appointed.

The Vice President appointed Senators Thompson, Kloos and Pittman as a conference committee on the part of the Senate.

On motion of Senator Erickson the Senate nonconcurred in the House amendments to **SB 467** and requested a conference committee be appointed.

The Vice President appointed Senators Erickson, Dietrich and Reddi as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 292** and requested a conference committee be appointed.

The Vice 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 458** and requested a conference committee be appointed.

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

On motion of Senator Warren the Senate nonconcurrent in the House amendments to **SB 473** and requested a conference committee be appointed.

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

EMERGENCY FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority and **SB 367, SB 426, SB 457, SB 532, SB 544, SB 552, SB 553, HB 2047, HB 2358, HB 2436, HB 2453, HB 2491, HB 2527, HB 2536, HB 2549, Sub HB 2570, HB 2588, HB 2614 and HB 2618, HB 2675, HB 2711, HB 2754, HB 2784; SCR 1609** were advanced to Final Action and roll call.

SB 367, AN ACT concerning elections; relating to the transparency in revenues underwriting elections act; prohibiting the use of funds provided by the United States government for the conduct of elections or election-related activities unless approved by the legislature; amending K.S.A. 25-2436 and repealing the existing section.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, 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, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

SB 426, AN ACT concerning traffic regulations; relating to unlawful passing of stationary authorized emergency vehicle; increasing penalties for certain violations; creating a crime for injuring or causing death of certain authorized emergency vehicle operators and providing a penalty therefor; amending K.S.A. 8-1530, 8-2116 and 8-2118 and repealing the existing sections.

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, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Peck.

The bill passed, as amended.

SB 457, AN ACT concerning public utilities; relating to eminent domain; prohibiting public utilities from exercising eminent domain for the siting or placement of solar facilities; amending K.S.A. 2023 Supp. 66-104 and repealing the existing section.

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

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, 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.

Present and Passing: Blasi, Haley.

The bill passed, as amended.

SB 532, AN ACT concerning education; relating to literacy; establishing the Kansas blueprint for literacy; creating a literacy advisory committee; directing the state board of regents to appoint a director of literacy education and develop a comprehensive assessment system; requiring the state board of regents and the state board of education to collaborate on a literacy micro-credential and professional development; authorizing the state board of regents to recommend diagnostic and formative literacy assessments; authorizing university presidents and deans of education oversight over postsecondary literacy courses; requiring a plan to establish centers of excellence in reading.

On roll call, the vote was: Yeas 35; Nays 3; Present and Passing 2; Absent or Not Voting 0.

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

Nays: Pyle, Steffen, Tyson.

Present and Passing: Erickson, Gossage.

The bill passed, as amended.

SB 544, AN ACT concerning postsecondary education; relating to scholarship programs; establishing the Kansas education opportunity scholarship program to replace the Kansas ethnic minority scholarship program; amending K.S.A. 74-3284, 74-3285, 74-3286, 74-3287, 74-3288 and 74-3289 and repealing the existing sections.

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 552, AN ACT concerning the state board of regents; enacting the Kansas campus restoration act; relating to deferred maintenance and demolition of facilities at postsecondary educational institutions; authorizing the board to adopt rules and regulations; establishing the Kansas campus restoration fund in the state treasury; authorizing certain transfers from the state general fund to the Kansas campus restoration fund; requiring annual reports be submitted to certain committees of the legislature; amending K.S.A. 74-3201b and repealing the existing section.

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, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Erickson, Gossage, McGinn, Pyle, Steffen, Tyson.

The bill passed, as amended.

SB 553, AN ACT concerning insurance; relating to health insurance; permitting a plan sponsor to authorize electronic delivery of plan documents and identification cards for certain insured individuals covered by a health benefit plan; amending K.S.A. 40-5801, 40-5803 and 40-5804 and repealing the existing sections; also repealing K.S.A. 40-5802.

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.

S Sub HB 2047, AN ACT concerning agriculture; relating to the farm animal and field crop and research facilities protection act; prohibiting entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas; providing penalties for violations therefor; removing the intent to destroy property; amending K.S.A. 47-1826 and 47-1827 and repealing the existing sections.

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 substitute bill passed.

HB 2358, AN ACT concerning public health; relating to the uniform vital statistics act; certification of an individual's cause of death; permitting cause of death certifiers to provide certification thereto; amending K.S.A. 65-2401 and 65-2412 and repealing the existing sections.

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, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Peck.

The bill passed, as amended.

S Sub HB 2436, AN ACT concerning abortion; relating to unlawful coercion to obtain an abortion; creating the crime of coercion to obtain an abortion; providing the penalties therefor; providing for enhanced criminal penalties for offenses committed with the intent to compel a woman to obtain an abortion; amending K.S.A. 21-6804 and repealing the existing sections.

On roll call, the vote was: Yeas 27; Nays 11; Present and Passing 2; Absent or Not Voting 0.

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

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

Present and Passing: Dietrich, Faust-Goudeau.

The substitute bill passed.

EXPLANATION OF VOTE

Our country has a long history of reproductive coercion. From the forced sterilization of poor people and people of color in the 1800s, to the more recent practice of interfering with women's ability to take or not take birth control, over and over again women's autonomy in reproductive healthcare decision-making has been taken away. This bill continues that trend, by allowing Kansas politicians to pick and choose when we think a woman is being coerced. I introduced an amendment to protect the right of a woman to have an honest conversation with her doctor about all reproductive care. If this body really cared about stopping the coercion of women, we would have adopted my amendment to ensure women are the ones making decisions about their healthcare. A doctor should be able to have an honest conversation with their patient about their pregnancy or birth control options, and give them the information that they need to make the best decision possible. This bill puts that right in jeopardy. I vote "NO."—
DINAH SYKES

HB 2453, AN ACT concerning health and healthcare; relating to dentists and dental hygienists; enacting the dentist and dental hygienist compact to provide interstate practice privileges for dentists and dental hygienists.

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, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Steffen, Tyson.

The bill passed.

HB 2491, AN ACT concerning the law enforcement training center; abolishing the law enforcement training center fund; transferring all moneys and liabilities of such fund to the state general fund; crediting moneys to the state general fund that had previously been credited to the law enforcement training center fund; amending K.S.A. 8-145, 8-1,177, 12-4117, 20-362 and 74-5619 and repealing the existing sections.

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 2527, AN ACT concerning public utilities; relating to the state corporation commission; authorizing public utilities to defer to a regulatory asset and recover depreciation expenses relating to certain rate base additions; establishing a cap on such cost recovery and limiting the time that such cost recovery may be implemented by a public utility; authorizing new economic development electric rates for large facilities; limiting the time that such economic development rates for large facilities may be implemented by a public utility; prohibiting any revenue lost through the implementation of economic development rates from being imputed into the electric public utility's revenue requirement; authorizing a rate adjustment mechanism for the construction of new gas-fired electric generating facilities; limiting the time that such rate adjustment mechanism may be implemented by a public utility; extending the timeline for the commission to make a determination of ratemaking principles and treatment prior to a public utility constructing or acquiring a stake in an electric generation or transmission facility; establishing procedural requirements to support the timely completion of such proceedings; amending K.S.A. 2023 Supp. 66-101j and 66-1239 and repealing the existing sections.

On roll call, the vote was: Yeas 35; Nays 2; Present and Passing 3; Absent or Not Voting 0.

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

Nays: Baumgardner, Tyson.

Present and Passing: Blasi, Gossage, Haley.

The bill passed, as amended.

HB 2536, AN ACT concerning children and minors; relating to the revised Kansas code for care of children; establishing SOUL family legal permanency as a permanency option for children in need of care who are 16 years of age or older; allowing courts to establish SOUL family legal permanency; defining SOUL family legal permanency; reconciling definition of behavioral health crisis in the revised Kansas code for care of children; amending K.S.A. 38-2234, 38-2263, 38-2264, 38-2266 and 38-2268 and K.S.A. 2023 Supp. 38-2202, 38-2203 and 38-2255 and repealing the existing sections; also repealing K.S.A. 2023 Supp. 38-2202a.

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 2549, AN ACT concerning adoption; relating to the Kansas adoption and relinquishment act, adoption, termination of parental rights; requiring notice of a hearing on a petition for adoption, petitions to be filed as part of a petition for adoption or in connection with an adoption; setting requirements for petitions filed separately

from adoption proceedings; amending K.S.A. 2023 Supp. 59-2133 and 59-2136 and repealing the existing sections.

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.

Sub HB 2570, AN ACT concerning employment security law; relating to the definition of benefit year, temporary unemployment, wages subject to assessment for employer contributions, statewide average annual wage and statewide average weekly wage; referencing certain new definitions for purposes of the annual determination by the secretary of the maximum weekly benefit amount; requiring electronic filing of wage reports, contribution returns and payments and interest assessments for employers with 25 or more employees; establishing minimum qualifications for candidates for membership on the employment security board of review and initial review of such candidates by the director of unemployment; extending when the mandatory combination of rates and the establishment of a new account due to a business acquisition must occur from the beginning of the following quarter to the beginning of the following year; making certain changes to the schedules governing employer contribution rates; removing obsolete language pertaining to the employment security interest assessment fund and abolishing such fund; requiring the secretary to create an audit process within the new unemployment insurance information technology system to permit employers to submit reports regarding work search, the my reemployment plan and claimants who do not provide notification or appear for scheduled interviews; providing for notices by the secretary to active employers regarding work search noncompliance reporting options; confirming the legislative coordinating council's authority to extend the new unemployment insurance information technology system's implementation date retroactively and as often as deemed appropriate by the council; requiring the secretary to notify the council of the need for an extension; authorizing the secretary to extend temporary unemployment for limited periods upon request by employers and allowing for additional temporary unemployment when requested by employers engaged in certain industries; requiring the secretary to annually post on the secretary's website certain additional calculations and data and to prepare an annual certification memorandum; changing the timing of employer benefit charge notices from annually to quarterly; removing the exemption for benefit charges less than \$100; providing that school bus drivers employed by private contractors are eligible for workshare; allowing a one-time write off for negative account balance employers by the secretary of such employers negative reserve account balance as of August 21, 2025; extending the publication deadline for contribution rate tables prepared by the secretary; providing that the secretary suspend state unemployment benefits for claimants who are receiving federal unemployment benefits; amending K.S.A. 44-704, 44-705, 44-706, 44-709, 44-710, 44-710b, 44-717, 44-757, 44-771, 44-772 and 44-774 and K.S.A. 2023 Supp. 44-703, 44-710a and 44-775 and repealing the existing sections.

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 2588, AN ACT concerning electric public utilities; relating to net metering; increasing the system-wide capacity limit for facilities subject to net metering; requiring such facilities to be appropriately sized based on the customer's expected load; establishing requirements for exporting power to a utility from a facility subject to net metering; amending K.S.A. 66-1264, 66-1265, 66-1266 and 66-1267 and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 2; Absent or Not Voting 0.

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

Nays: Baumgardner, Erickson, Steffen, Straub, Thompson, Tyson.

Present and Passing: Blasi, Haley.

The bill passed, as amended.

HB 2614, AN ACT concerning administrative rules and regulations; requiring state agencies to provide notice of revocation thereof; removing certain abolished or inactive state agencies from the five-year state agency review requirement; amending K.S.A. 2023 Supp. 77-426 and 77-440 and repealing the existing sections.

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 2618, AN ACT concerning elections; relating to the election crime of false representation of an election official; requiring specific intent of the offender as an element of such criminal offense; amending K.S.A. 25-2438 and repealing the existing section.

On roll call, the vote was: Yeas 29; Nays 9; Present and Passing 2; 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, Haley, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Francisco, Holland.

The bill passed, as amended.

HB 2675, AN ACT concerning children and minors; enacting the uniform nonparent visitation act; removing provisions related to grandparent and stepparent visitation rights; repealing K.S.A. 23-3301, 23-3302, 23-3303 and 23-3304.

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 2711, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; membership waiting period for direct support positions of community service providers; increasing the lump-sum death benefit; employment after retirement; increasing the amount of retiree compensation subject to the statutory employer contribution rate; providing an exemption for retirees employed by a community developmental disability organization or a community service provider affiliated with a community developmental disability organization in a licensed professional nurse, licensed practical nurse or direct support position; increasing the earnings limit for members of the Kansas police and firemen's retirement system; amending K.S.A. 74-4937, 74-4957, 74-4957a, 74-4989 and 74-49,315 and K.S.A. 2023 Supp. 74-4911 and 74-4914 and repealing the existing sections.

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, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Peck, Steffen.

The bill passed, as amended.

HB 2754, AN ACT concerning counties; relating to public health; authorizing counties to exempt from the requirement to perform school safety inspections; amending K.S.A. 19-101a and K.S.A. 2023 Supp. 65-202 and repealing the existing sections.

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 2784, AN ACT concerning adult care homes; relating to continuing care retirement communities; transferring authority for certification of such facilities from the Kansas insurance department to the Kansas department for aging and disability services; amending K.S.A. 39-923, 40-2231, 40-2232, 40-2233, 40-2234, 40-2235 and

40-2238 and K.S.A. 2023 Supp. 39-936 and repealing the existing sections.

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.

SCR 1609, A CONCURRENT RESOLUTION making application to the Congress of the United States to call a limited national convention for the exclusive purpose of proposing an amendment to the Constitution of the United States establishing term limits for members of Congress.

On roll call, the vote was: Yeas 24; Nays 15; Present and Passing 1; Absent or Not Voting 0.

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

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

Present and Passing: Holland.

The resolution was not adopted by the required two-thirds majority vote.

EXPLANATION OF VOTE

I voted "YES" for **SCR 1609** but what I really want to know is, if here was a theoretical run-away convention, who gets the ridiculous \$34 trillion dollar debt?—
MARK STEFFEN

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 233** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 2, in line 39, after "(c)" by inserting "or (d)";

On page 3, following line 37, by inserting:

"(d) If a healthcare provider has initiated a course of treatment for a child that includes prescribing, administering or dispensing of a drug prohibited by subsection (a) (2), (a)(3), (b)(2) or (b)(3) prior to the effective date of this act, the healthcare provider may continue such course of treatment if the healthcare provider:

- (1) Develops a plan to systematically reduce the child's use of such drug;
- (2) determines and documents in the child's medical record that immediately terminating the child's use of such drug would cause harm to the child; and
- (3) such course of treatment shall not extend beyond December 31, 2024.";

On page 10, in line 43, by striking "statute book" and inserting "Kansas register";

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR

JOHN EPLEE

Conferees on part of House

BEVERLY GOSSAGE

RENEE ERICKSON

Conferees on part of Senate

Senator Gossage moved the Senate adopt the Conference Committee Report on **H Sub SB 233**.

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

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

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

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

I have heard from Kansans in my district who overwhelmingly do not support children undergoing gender re-assignment surgery. Their anger regarding physicians and parents allowing surgeries on minors is palpable. I have always agreed with the position, but my concern in the past, which was not addressed until now, was the harm that would be caused from abruptly stopping the hormone therapy piece. Negotiations in Conference Committee this year recognized the result of stopping that therapy immediately and made some changes to allow for a gradual reduction. For that reason, I vote "YES."—BRENDA DIETRICH

This bill is anti-freedom. This bill is anti-bodily autonomy. This bill is yet another example of Kansas governmental intrusion and harassment. Yet the most insidious part of this bill is that it literally rips children away from their parents in their most vulnerable time of need. I vote "NO" on the motion to concur on **H Sub SB 233**.—TOM HOLLAND

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator Holland on **H Sub SB 233**.

I voted "YES" on **H Sub SB 233** to protect our troubled children from wayward parents and a wayward healthcare system. To "Do No Harm," entails not disfiguring minors with drugs or knives, but helping them deal with their issues constructively.—MARK STEFFEN

Senators Straub and Thompson request the record to show they concur with the "Explanation of Vote" offered by Senator Steffen on **H Sub SB 233**.

RULED MATERIALLY CHANGED

The President ruled the changes made to **H Sub SB 300** materially changed the bill and rereferred the bill to Assessment and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **HB 2101**, As Amended by House Committee, be amended on page 1, in line 6, before "Section" by inserting "New"; in line 23, before "Sec." by inserting "New"; also in line 23, before "Any" by inserting "(a)"; following line 25, by inserting:

"(b) Following the notice and opportunity to cure provided for in section 4(c), and amendments thereto, the buyer shall have 15 days to:

(1) Record a record of release of affidavit of equitable interest or contract for deed, if such affidavit or contract were recorded; and

(2) vacate the premises, if applicable.

(c) If the buyer fails to satisfy the conditions under subsection (b), then such buyer shall be responsible for the seller's reasonable attorney fees, costs and expenses for the removal of the affidavit of equitable interest or contract of deed from the title and eviction of the buyer from the premises, if applicable.";

Also page 1, in line 26 before "Sec." by inserting "New";

On page 2, in line 14, before "Sec." by inserting "New"; following line 41, by inserting:

"Sec. 5. K.S.A. 58-3065 is hereby amended to read as follows: 58-3065. (a) Willful violation of any provision of this act or the brokerage relationships in real estate transactions act is a misdemeanor punishable by imprisonment for not more than 12 months or a fine of not less than \$100 or more than \$1,000, or both, for the first offense and imprisonment for not more than 12 months or a fine of not less than \$1,000 or more than \$10,000, or both, for a second or subsequent offense.

(b) Nothing in this act or the brokerage relationships in real estate transactions act shall be construed as requiring the commission or the director to report minor violations of the acts for criminal prosecution whenever the commission or the director believes that the public interest will be adequately served by other administrative action.

(c) If the commission determines that a person or associated association, corporation, limited liability company, limited liability partnership, partnership, professional corporation or trust has practiced without a valid broker's or salesperson's license issued by the commission, in addition to any other penalties imposed by law, the commission, in accordance with the Kansas administrative procedure act, may issue a cease and desist order against the unlicensed person.

Sec. 6. K.S.A. 58-3065 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to brokers, salespersons and real estate transactions; authorizing the Kansas real estate commission to issue cease and desist orders;"; in line 2, after the semicolon by inserting "providing for certain penalties related thereto;"; in line 3, after "act" by inserting "; amending K.S.A. 58-3065 and repealing the existing section"; and the bill be passed as amended.

On motion of Senator Alley, the senate adjourned pro forma until 9:00 a.m. March 28, 2024.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

MARCH 27, 2024

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