

Journal of the Senate

FORTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 13, 2024, 1:00 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 38 senators present.
Senators Baumgardner and Thompson were excused.
Invocation by Reverend Cecil T. Washington:

Key To Answered Prayers
Psalm 66:18, Proverbs 28:9, 1 John 3:22

Heavenly Father, we come to You today praying for Your blessings. But Lord, we don't want to be guilty of presumption just taking it for granted that You'll hear and give a positive response.

You said in Psalm 66:18, if we know that some ungodliness is in our heart, if we know it's there and do nothing about it You would not hear us. You further told us in Proverbs 28:9, that if anyone turned a deaf ear to Your Word, their prayers would not be accepted by You. So Lord, You're saying if we turn a deaf ear to You, we'll be facing the dreadful problem of You turning a deaf ear to us. God, that's surely not the position we want to be in.

So Lord, by Your Holy Spirit, open our eyes to where repentance is needed so we can be the servant leaders You would have us to be, so we can be in harmony with that which pleases You and blesses the people. In fact, You told us in 1 John 3:22, the prayers that get heard are to come from people who have determined to listen to You with a heart of obedience to do what pleases You.

So Lord, we're going to have a moment of silence right now for You to speak to each of us individually. And Lord, during the quietness of the next few moments, let us hear Your still, small voice on the inside. Confront us and convict us now of any unruly attitudes and actions. For You said in 1 John 1:9, that if we confess our sins You'd be faithful and just to forgive and cleanse us.

I thank You now Lord, for Your mercy and grace. Let us now be about blessing You and those You've called us to serve. I offer this prayer in the precious Name of Jesus, Amen.

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 547, AN ACT concerning agriculture; relating to the Kansas pet animal act; updating provisions for operating an animal shelter or pound; making changes to certain defined terms; modifying authority pertaining to refusal to issue or renew and the modification, limitation, suspension or revocation of any license or permit; providing for making immediate actions to protect the public interest; requiring the posting of a cash or security bond to pay for the costs of caring for a seized or impounded pet animal; requiring certain licensees that cease to engage in licensed activity to notify the commissioner at least 10 days prior to ceasing business, or if extenuating circumstances exist, not later than the date such activity ceases; requiring a closing inspection to confirm licensed activity has ceased prior to expiration of the license period; requiring certain additional rules and regulations; increasing the maximum amount of certain fees; clarifying the conditions required for a licensed veterinarian to act as or be a boarding or training kennel operator; changing the date during which a licensee or permit holder that is in the process of ceasing to do business may be issued a temporary closing permit; amending K.S.A. 47-1701, 47-1704, 47-1706, 47-1706a, 47-1707, 47-1709, 47-1712, 47-1715, 47-1721, 47-1723 and 47-1732 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 548, AN ACT concerning firearms; relating to the personal and family protection act; requiring a concealed carry license to lawfully carry a concealed handgun; providing permanent exemptions for postsecondary educational institutions from the public buildings requirements; amending K.S.A. 21-5914, 21-6301, 21-6302, 21-6308, 21-6309, 32-1002, 75-7c10, 75-7c17 and 75-7c20 and K.S.A. 2023 Supp. 75-7c02, 75-7c03, 75-7c04, 75-7c05, 75-7c08 and 75-7c21 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 549, AN ACT concerning firearms; relating to the purchase or transfer thereof; requiring criminal history record checks for such purchases and transfers; providing criminal penalties for violations, by Committee on Federal and State Affairs.

SB 550, AN ACT concerning firearms; relating to criminal possession or use of certain firearms; prohibiting persons under 21 years of age from purchasing and possessing semiautomatic rifles with high capacity ammunition magazines; amending K.S.A. 21-6301 and 21-6302 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 551, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of unlawful storage of a firearm; providing criminal penalties for violations thereof, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 545**, **SB 546**.

Education: **SB 544**.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2527**.

Announcing passage of **SB 233**, as amended by **H Sub SB 233**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2527 was thereupon introduced and read by title.

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:

Sub SB 514 be passed by adoption of the committee report recommending a substitute bill and as amended by Committee of the Whole.

SB 500 be amended by the adoption of the committee amendments, and the bill be passed as amended.

COMMITTEE OF THE WHOLE ACTIONS

SB 500 be amended by the adoption of the committee amendments.

SB 514 be amended by the adoption of the committee report on **SB 514** recommending **Sub SB 514** be adopted, be amended by motion of Senator Tyson; on page 76, in line 28, by subtracting \$10,000 from the dollar amount and by adjusting the dollar amount in line 28 accordingly;

On page 77, in line 4, by subtracting \$10,000 from the dollar amount and by adjusting the dollar amount in line 4 accordingly; in line 10, by subtracting \$10,000 from the dollar amount and by adjusting the dollar amount in line 10 accordingly; in line 22, by subtracting \$10,000 from the dollar amount and by adjusting the dollar amount in line 22 accordingly; in line 27, by subtracting \$10,000 from the dollar amount and by adjusting the dollar amount in line 27 accordingly;

On page 238, following line 25, by inserting:

"(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Capitol police operating expenditures..... \$10,000

Provided, That expenditures shall be made from the capitol police operating expenditures account to provide a 2.5% salary increase for part-time capitol police officers.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

Sub SB 514 be further amended by motion of Senator Steffen; on page 43, following line 21, by inserting:

"(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Hardtner natural gas line..... \$1,500,000

Provided, That expenditures shall be made from the Hardtner natural gas line account for a grant to the city of Hardtner, Kansas, to: (1) Design, construct and install a new natural gas distribution line that connects to a natural gas service provider and the infrastructure for such line to provide a reliable long-term natural gas source to supply the entire city of Hardtner, Kansas; or (2) remediate the loss of a natural gas supply for such city in lieu of a new natural gas line.";

And by redesignating subsections accordingly;

On page 115, in line 41, by subtracting \$1,500,000 from the dollar amount and by adjusting the dollar amount in line 41 accordingly

Sub SB 514 be further amended by motion of Senator Olson; on page 46, following line 38, by inserting:

"(g) During the fiscal year ending June 30, 2025, in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys to include the name of each entity receiving a discount from tariffed rates authorized by K.S.A. 2023 Supp. 66-101i and 66-101j, and amendments thereto, in the agency's status report required by K.S.A. 2023 Supp. 66-101i and 66-101j(g), and amendments thereto."

Sub SB 514 be further amended by motion of Senator Pyle; on page 11, following line 32, by inserting:

"(d) Notwithstanding the provisions of K.S.A. 46-137a, 46-137b and 46-137e, and amendments thereto, any other statute, or the provisions of the order of the legislative compensation commission dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, pursuant to K.S.A. 2023 Supp. 46-3102, and amendments thereto, during the fiscal year ending June 30, 2025, no moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, shall be expended by the above agency for fiscal year 2025 to increase the rate of compensation and salary for members of the legislature set by the legislative compensation commission in the commission's order dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, unless the legislature expressly consents to such rate of compensation and salary increase by the adoption of a concurrent resolution during the 2024 regular legislative session.

Sec. 27.

LEGISLATURE

(a) Notwithstanding the provisions of K.S.A. 46-137a, 46-137b and 46-137e, and amendments thereto, any other statute, or the provisions of the order of the legislative compensation commission dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, pursuant to K.S.A. 2023 Supp. 46-3102, and amendments thereto, during the fiscal year ending June 30, 2026, no moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2026, as authorized by this or other appropriation act of the 2024 or 2025 regular session of the legislature, shall be expended by the above agency for fiscal year 2026 to increase the rate of compensation and salary for members of the legislature set by the legislative compensation commission in the commission's order dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, unless the legislature expressly consents to such rate of compensation and salary increase by the adoption of a concurrent resolution during the 2025 regular legislative session.";

And by renumbering sections accordingly

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

On roll call, the vote was: Yeas 20; Nays 8; Present and Passing 9; Absent or Not Voting 3.

Yeas: Blasi, Bowers, Claeys, Dietrich, Doll, Fagg, Francisco, Gossage, Kerschen, Kloos, McGinn, Olson, Petersen, Pittman, Pyle, Shallenburger, Steffen, Straub, Tyson, Warren.

Nays: Alley, Haley, O'Shea, Peck, Pettey, Sykes, Ware, Wilborn.

Present and Passing: Billinger, Corson, Erickson, Faust-Goudeau, Holland, Longbine, Masterson, Reddi, Ryckman.

Absent or Not Voting: Baumgardner, Holscher, Thompson.

Sub SB 514 be further amended by motion of Senator Tyson; on page 288, following line 24, by inserting:

"Sec. 155. (a) In addition to other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2024 or 2025 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2026 as authorized by this or other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2026 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2026.

(b) During the fiscal year ending June 30, 2026, no state agency named in this or other appropriation act of the 2024 or 2025 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2026 as authorized by this or other appropriation act of the 2024 or 2025 regular session of the legislature for such state agency to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(c) In addition to other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2024, 2025 or 2026 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2027 as authorized by this or other appropriation act of the 2024, 2025 or 2026 regular session of the legislature,

expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2027 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2027.

(d) During the fiscal year ending June 30, 2027, no state agency named in this or other appropriation act of the 2024, 2025 or 2026 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2027 as authorized by this or other appropriation act of the 2024, 2025 or 2026 regular session of the legislature for such state agency to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(e) In addition to other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2024, 2025, 2026 or 2027 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2028 as authorized by this or other appropriation act of the 2024, 2025, 2026 or 2027 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2028 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2028.

(f) During the fiscal year ending June 30, 2028, no state agency named in this or other appropriation act of the 2024, 2025, 2026 or 2027 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2028 as authorized by this or other appropriation act of the 2024, 2025, 2026 or 2027 regular session of the legislature for such state agency to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000

from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(g) As used in this section:

(1) "Employee" means any person who performs employment services for an employer pursuant to an employment relationship between the employee and the employer.

(2) "Employer" means any individual or type of organization that transacts business in this state and employs one or more individuals who perform employment services in this state.

(3) "E-verify" means an electronic system jointly administered by the United States department of homeland security and the social security administration or its successor program, pursuant to 8 U.S.C. § 1324a, that is used to verify the employment authorization of employees.";

And by renumbering sections accordingly

Senator Doll motioned to further amend **Sub SB 514**. A ruling of the Chair was requested as to the germaneness of the amendment to the bill. The Chair ruled the amendment was germane to the bill and the following amendment was adopted; on page 21, following line 6, by inserting:

"(g) (1) During the fiscal year ending June 30, 2025, notwithstanding the provisions of Kansas consumer protection act, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2025 to enforce the provisions of the Kansas consumer protection act against a manufacturer that engages in the following actions:

(A) Deny, restrict, prohibit or otherwise interfere with the acquisition of a 340B drug by or delivery of a 340B drug to a pharmacy that is under contract with a 340B-covered entity and authorized under such contract to receive and dispense 340B drugs on behalf of the 340B-covered entity, unless such receipt and dispensing of 340B drugs by such pharmacy is prohibited by the United States department of health and human services; or

(B) interfere with a pharmacy that has a contract with a 340B-covered entity.

(2) As used in this subsection:

(A) "340B-covered entity" means an entity that is participating in the federal 340B drug pricing program authorized by 42 U.S.C. § 256b, including such entity's pharmacy or pharmacies, or any pharmacy or pharmacies contracted for the purpose of dispensing drugs purchased through such program;

(B) "340B drug" means a drug that has been subject to any offer for reduced prices by a manufacturer pursuant to the federal 340B drug pricing program authorized by 42

U.S.C. § 256b and is purchased by a covered entity;

(C) "manufacturer" means the same as defined in K.S.A. 65-1626, and amendments thereto; and

(D) "pharmacy" means the same as defined in K.S.A. 65-1626, and amendments thereto.

Sec. 33.

ATTORNEY GENERAL

(a) (1) During the fiscal year ending June 30, 2026, notwithstanding the provisions of Kansas consumer protection act, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2026 by this or any other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2026 to enforce the provisions of the Kansas consumer protection act against a manufacturer that engages in the following actions:

(A) Deny, restrict, prohibit or otherwise interfere with the acquisition of a 340B drug by or delivery of a 340B drug to a pharmacy that is under contract with a 340B-covered entity and authorized under such contract to receive and dispense 340B drugs on behalf of the 340B-covered entity, unless such receipt and dispensing of 340B drugs by such pharmacy is prohibited by the United States department of health and human services; or

(B) interfere with a pharmacy that has a contract with a 340B-covered entity.

(2) As used in this subsection:

(A) "340B-covered entity" means an entity that is participating in the federal 340B drug pricing program authorized by 42 U.S.C. § 256b, including such entity's pharmacy or pharmacies, or any pharmacy or pharmacies contracted for the purpose of dispensing drugs purchased through such program;

(B) "340B drug" means a drug that has been subject to any offer for reduced prices by a manufacturer pursuant to the federal 340B drug pricing program authorized by 42 U.S.C. § 256b and is purchased by a covered entity;

(C) "manufacturer" means the same as defined in K.S.A. 65-1626, and amendments thereto; and

(D) "pharmacy" means the same as defined in K.S.A. 65-1626, and amendments thereto.";

And by renumbering sections accordingly

Sub SB 514 be further amended by motion of Senator Blasi; on page 146, following line 1, by inserting:

"(aa) During the fiscal year ending June 30, 2025, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2025 as authorized by this or other appropriation act of the 2024 regular session of the legislature, to make any changes to targeted case management services for persons with intellectual or developmental disabilities unless the legislature expressly consents to, and approves of, such changes by an act or appropriation act of the legislature.";

Sub SB 514 be further amended by motion of Senator Francisco; on page 129, by striking all in lines 27 through 33;

On page 288, following line 40, by inserting:

"Debt service refunding – 2020S (173-00-1000-8564).....\$4,000,000

Provided, That during the fiscal year ending June 30, 2025, expenditures shall be made from the debt service refunding – 2020S account by the above agency, in consultation with the Kansas development finance authority, solely for the purpose of paying the costs, including transaction costs, of prepaying, redeeming, defeasing or purchasing, on the open market or through a tender offer or other transaction, some or all of the outstanding maturities of the Kansas development finance authority taxable refunding revenue bonds (state of Kansas projects), series 2020S: *Provided further*, That all such transactions shall be on the terms of and pursuant to all necessary and appropriate agreements by, between or among the above agency, the Kansas development finance authority and such other agencies or parties as deemed necessary by the above agency or the Kansas development finance authority to complete such transactions: *And provided further*, That any 2020S bonds that are purchased on the open market or through a tender offer or other transaction shall promptly be retired."

A motion by Senator Olson to further amend **Sub SB 514** failed and the following amendment was rejected.; on page 11, following line 32, by inserting:

"(d) Notwithstanding the provisions of K.S.A. 46-137a, 46-137b, 46-137e, and amendments thereto, any other statute, or the provisions of the order of the legislative compensation commission dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, pursuant to K.S.A. 2023 Supp. 46-3102, and amendments thereto, during the fiscal year ending June 30, 2025, no moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, shall be expended by the above agency for fiscal year 2025 to increase the rate of compensation and salary for members of the legislature set by the legislative compensation commission in the commission's order dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024: *Provided, however*, That in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2025 commencing on the first day of the legislative session in January of 2025 for each member of the legislature to receive the sum of \$150 per calendar day for service at any regular or special session of the legislature and an allowance of \$604.15 for the two-week period that coincides with the biweekly payroll period that includes April 1 and for each of the 19 ensuing two-week periods thereafter, to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses.

Sec. 27.

LEGISLATURE

(a) Notwithstanding the provisions of K.S.A. 46-137a, 46-137b, 46-137e, and amendments thereto, any other statute, or the provisions of the order of the legislative compensation commission dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, pursuant to K.S.A. 2023 Supp. 46-3102, and amendments thereto, during the fiscal year ending June 30, 2026, no moneys appropriated from the state general fund or any special

revenue fund or funds for the above agency for fiscal year 2026, as authorized by this or other appropriation act of the 2024 or 2025 regular session of the legislature, shall be expended by the above agency for fiscal year 2026 to increase the rate of compensation and salary for members of the legislature set by the legislative compensation commission in the commission's order dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024: *Provided, however*, That in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2026, as authorized by this or other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2026 commencing on the first day of the legislative session in January of 2026 for each member of the legislature to receive the sum of \$150 per calendar day for service at any regular or special session of the legislature and an allowance of \$604.15 for the two-week period that coincides with the biweekly payroll period that includes April 1 and for each of the 19 ensuing two-week periods thereafter to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses.";

And by renumbering sections accordingly

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

On roll call, the vote was: Yeas 14; Nays 19; Present and Passing 5; Absent or Not Voting 2.

Yeas: Billinger, Blasi, Bowers, Dietrich, Doll, Fagg, Francisco, Kerschen, Kloos, Olson, Shallenburger, Steffen, Straub, Tyson.

Nays: Alley, Corson, Erickson, Faust-Goudeau, Gossage, Haley, Holscher, Longbine, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Sykes, Ware, Warren, Wilborn.

Present and Passing: Claeys, Holland, Masterson, Reddi, Ryckman.

Absent or Not Voting: Baumgardner, Thompson.

EXPLANATION OF VOTE

I voted for the amendment to blunt the exorbitant pay raise for legislators provided in the budget. The process that took us to the huge pay raise was a premeditated plan to provide cover for legislators to receive a pay raise out of sight of the average taxpayer. I do not believe this at-large committee was neutral in any way, shape or form. Furthermore, the legislature is where you bring your life experiences not get them.—

MARK STEFFEN

Senator Straub requests the record to show she concurs with the "Explanation of Vote" offered by Senator Steffen on **Sub SB 514**.

I have not heard from constituents, clamoring for citizen legislators to get any increase in pay. Because the amendment would still provide a substantial pay raise, I vote No.—Kellie Warren

A motion by Senator Holscher to further amend **Sub SB 514** failed and the following amendment was rejected; on page 162, following line 3, by inserting:

"(n) During the fiscal year ending June 30, 2025, in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 as

authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys to require a nonpublic school that receives state moneys to comply with K.S.A. 2023 Supp. 72-5178, and amendments thereto: *Provided*, That as used in this section, "nonpublic school" means an accredited or nonaccredited private elementary or secondary school: *Provided, however*; That "nonpublic school" does not include a home school or home school organization, community consortium or group."

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

On roll call, the vote was: Yeas 12; Nays 21; Present and Passing 3; Absent or Not Voting 4.

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

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

Present and Passing: Billinger, Dietrich, Longbine.

Absent or Not Voting: Baumgardner, McGinn, Olson, Thompson.

A motion by Senator Doll to further amend **Sub SB 514** failed and the following amendment was rejected; on page 76, by striking all in lines 4 through 11;

On page 112, in line 7, by subtracting \$31,936,813 from the dollar amount and by adjusting the dollar amount in line 7 accordingly;

On page 156, following line 8, by inserting:

"Special education services aid (652-00-1000-0700)..... \$76,436,813";

On page 299, by striking all in lines 14 through 17;

And by redesignating subsections accordingly;

On page 313, by striking all in line 42

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

On roll call, the vote was: Yeas 12; Nays 19; Present and Passing 5; Absent or Not Voting 4.

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

Nays: Alley, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Masterson, McGinn, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Tyson, Wilborn.

Present and Passing: Billinger, Dietrich, Kloos, Longbine, Reddi.

Absent or Not Voting: Baumgardner, Blasi, Thompson, Warren.

A motion by Senator Steffen to further amend **Sub SB 514** failed.

A motion by Senator Tyson to further amend **Sub SB 514** failed.

A motion by Senator Straub to further amend **Sub SB 514** failed.

A motion by Senator Holland to further amend **Sub SB 514** failed.

A motion by Senator Pettey to further amend **Sub SB 514** failed and the following amendment was rejected; on page 156, following line 8, by inserting:

"Childcare accelerator grants..... \$15,716,000

Provided, That all expenditures from the childcare accelerator grants account shall require a match of nonstate local or private moneys on the basis of \$4 of state moneys to \$1 of nonstate moneys.";

On page 228, by striking all in lines 24 through 36;

On page 229, by striking all in lines 41 through 43

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

On roll call, the vote was: Yeas 13; Nays 23; Present and Passing 2; Absent or Not Voting 2.

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

Nays: Alley, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Tyson, Warren, Wilborn.

Present and Passing: Billinger, Olson.

Absent or Not Voting: Baumgardner, Thompson.

CHANGE OF REFERENCE

An objection having been made to **HB 2682** appearing on the **Consent Calendar**, the President directed the bill be removed and placed on the calendar under the heading of **General Orders**.

The President withdrew **SB 545** from the Committee on **Assessment and Taxation**, and referred the bill to the Committee on **Commerce**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 311**, as recommended by the Senate Committee on Assessment and Taxation to be passed as reported in the Journal of the Senate on March 24, 2023, be amended on page 2, in line 18, after "exchange" by inserting ", a build-to-suit transaction or any sale-leaseback arrangement"; in line 20, after "exchange" by inserting ", build-to-suit and sale-leaseback arrangement";

On page 1, in the title, in line 2, after "exchange" by inserting ", build-to-suit and sale-leaseback arrangement"; and the bill be passed as amended.

Also, **SB 468** be amended on page 5, in line 27, by striking ": (1)"; in line 28, by striking "(A)" and inserting "(1)"; in line 29, by striking "(B)" and inserting "(2)"; in line 31, by striking all after "bonds"; by striking all in lines 32 through 35; in line 36, by striking all before the period; in line 37, by striking all after "exemption"; in line 40, by striking ", an" and inserting "or"; also in line 40, by striking all after "exemption"; in line 41, by striking "financing";

On page 1, in the title, in line 3, by striking "or tax increment financing"; and the bill be passed as amended.

SB 498 be amended on page 3, by striking all in lines 31 through 43;

On page 4, by striking all in lines 1 through 39;

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking "establishing a child tax credit"; and the bill be passed as amended.

SB 539 be amended on page 4, in line 42, after "income" by inserting "for";

On page 13, in line 4, by striking all after "taxpayer"; by striking all in lines 5 through 22; in line 23, by striking all before the period;

By striking all on pages 17 through 26;

On page 27, by striking all in lines 1 and 2; in line 4, by striking the comma after "79-32,119" and inserting "and"; also in line 4, by striking all after "79-32,121"; in line

5, by striking all before "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "increasing the income limit to qualify for a" and inserting "eliminating the income limitation to receive the"; in line 4, by striking "for" and inserting "exempting"; also in line 4, by striking "income" and inserting "benefits"; in line 7, by striking all after the first semicolon; by striking all in lines 8 and 9; in line 10, by striking "collected;"; in line 11, by striking the comma after "79-32,119" and inserting "and"; also in line 11, by striking all after "79-32,121"; in line 12, by striking all before the second "and"; and the bill be passed as amended.

HB 2229 be amended on page 1, in line 9, by striking "2024" and inserting "2025"; in line 11, by striking "180" and inserting "120";

Also on page 1, in the title, in line 3, by striking "180" and inserting "120"; and the bill be passed as amended.

HB 2254, As Amended by House Committee of the Whole, be amended on page 1, following line 6, by inserting:

"New Section 1. Adverse influences not sufficiently accounted for in the agricultural use valuation formula for land devoted to agricultural use shall be addressed by the director of property valuation and the county appraiser. Adverse influences include, but are not limited to, canopy cover, salinity and alkalinity, water table fluctuation and newly constructed drainage and flood control areas. The county appraiser shall address canopy cover, salinity and alkalinity, water table fluctuation and newly constructed drainage and flood control areas as follows:

(a) For canopy cover, the county appraiser shall:

- (1) View the parcel;
- (2) delineate the area impacted on a map;
- (3) determine the appropriate reduction from actual inspection and make the appropriate reduction as follows:

- (A) 0 to 25% cover = no reduction;
- (B) 25% to 50% cover = 20% reduction;
- (C) 50% to 75% cover = 30% reduction; and
- (D) 75% to 100% cover = 50% reduction; and

(4) establish an adverse influence file for the parcel;

(b) for salinity and alkalinity, the county appraiser shall:

- (1) Request that the taxpayer provide soil analysis from a crop consulting service;
- (2) delineate the area impacted on a map;
- (3) reduce the value as indicated by the report;
- (4) establish an adverse influence file for the parcel; and
- (5) notify the local United States department of agriculture natural resources

conservation service (NRCS) office of the change;

(c) for water table fluctuation, the county appraiser shall:

- (1) Delineate the area impacted on a map;
- (2) contact the local NRCS office and request verification;
- (3) contact the division of property valuation for assistance;
- (4) obtain a temporary influence amount from the division of property valuation to use until the NRCS review is complete; and
- (5) establish an adverse influence file for the parcel; and

(d) for newly constructed drainage and flood control areas, the county appraiser

shall:

- (1) View the parcel;
- (2) delineate the area impacted on a map;
- (3) contact the division of property valuation for assistance;
- (4) receive an adverse influence amount from the division of property valuation after the division contacts the responsible agency; and
- (5) establish an adverse influence file for the parcel.";

Also on page 1, in line 7, by striking "2022" and inserting "2023";

On page 4, in line 35, by striking "2022" and inserting "2023";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "classification of"; also in line 1, after "land" by inserting "devoted to agricultural use"; in line 3, after "use" by inserting "for purposes of classification; accounting for adverse influences in the valuation of agricultural land"; also in line 3, by striking "2022" and inserting "2023"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2530**, As Amended by House Committee, be amended on page 2, in line 34, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **HB 2531** be amended on page 2, in line 32, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2532 be amended on page 3, in line 40, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2715 be amended on page 52, in line 41, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2787 be amended on page 7, in line 3, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2596** be amended on page 16, following line 22, by inserting:

"(3) Tianeptine, its optical isomers, salts and salts of isomers"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2499** be amended on page 12, in line 1, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **HB 2501**, As Amended by House Committee, be amended on page 1, in line 12, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Utilities** recommends **HB 2588** be amended on page 1, in line 23, by striking "and" and inserting "or";

On page 2, in line 26, after the second comma by inserting "and each year thereafter,"; also in line 26, after "utility's" by inserting "historic highest annual"; also in line 26, after "demand" by inserting "since 2014"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2760** be amended on page 26, in line 13, by striking "veterans claims assistance representatives" and inserting "trainers"; in line 17, by striking "The veterans service organization shall"; in line 19, by striking "the veterans service organization shall"; in line 22, by striking ", as well as" and inserting "and"; in line 28, by striking all after "completed"; in line 29, by striking "training" and inserting "federal department of veterans affairs office training,

responsibility, involvement and preparation of claims (TRIP) course"; in line 39, after "at" by inserting ":

(A)";

Also on page 26, in line 40, by striking all after the first "federal"; in line 41, by striking all before the semicolon and inserting "department of veterans affairs regional office or the veterans affairs medical center in Wichita; and

(B) each veterans affairs medical center in Topeka and Leavenworth as long as those facilities are in operation";

On page 27, in line 7, after "federal" by inserting "department of"; also in line 7, by striking "administration" and inserting "affairs"; in line 8, after "office" by inserting "or the veterans affairs medical center in Wichita"; also in line 8, by striking "the United States department of" and inserting "each"; also in line 8, by striking "centers" and inserting "center"; in line 9, after "Leavenworth" by inserting "as long as those facilities are in operation"; in line 16, by striking "past" and inserting "most recent"; in line 24, by striking all after "staff"; by striking all in line 25; in line 26, by striking all before the semicolon; in line 37, by striking "the" and inserting "such";

On page 1, in the title, in line 3, after the second semicolon by inserting "updating the veterans claims assistance program to include references to veterans affairs medical centers and cross-accreditation requirements;"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, March 14, 2024.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

