

Journal of the Senate

TWENTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 7, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 39 senators present.
Senator Ware was excused.
Invocation by Reverend Cecil T. Washington.

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 474, AN ACT concerning cities; relating to initiation of ordinances by petition; eliminating the administrative ordinance limitation; amending K.S.A. 12-3013 and repealing the existing section, by Committee on Federal and State Affairs.

SB 475, AN ACT concerning education; relating to school districts; eliminating school district open enrollment requirements; authorizing school districts to determine nonresident student enrollment; amending K.S.A. 2023 Supp. 72-3122, 72-3124, 72-3127 and 72-5132 and repealing the existing sections; also repealing K.S.A. 2023 Supp. 72-3123 and 72-3126, by Committee on Federal and State Affairs.

SB 476, AN ACT concerning traffic regulations; creating a crime for operating a motor vehicle at a speed of 100 miles per hour or more and providing a penalty therefor; amending K.S.A. 8-255 and 8-2116 and repealing the existing sections, by Committee on Transportation.

SB 477, AN ACT concerning the division of vehicles; relating to drivers' licenses and identification cards; providing for digital drivers' licenses and digital identification cards and regulating the use therefor, by Committee on Transportation.

SB 478, AN ACT concerning employment security law; relating to the definition of benefit year, temporary unemployment, wages, 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; changing the timing of employer benefit charge notices from annually to quarterly; removing the exemption for benefit charges less than \$100; amending K.S.A. 44-704, 44-705, 44-709, 44-710, 44-710b, 44-717, 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, by Committee on Commerce.

SB 479, AN ACT concerning education; relating to teachers; defining teachers for purposes of the Kansas public employees retirement system; transferring teachers from the Kansas public employees retirement system act of 2015 to the Kansas public employees retirement system act of 2009; amending K.S.A. 74-49,301 and repealing the existing section, by Senators Kloos, Baumgardner, Blasi, Erickson and Thompson.

SB 480, AN ACT concerning taxation; relating to the state board of tax appeals; authorizing teleconference or video conference hearings in the small claims and expedited hearings division; amending K.S.A. 2023 Supp. 74-2433f and repealing the existing section, by Committee on Assessment and Taxation.

SB 481, AN ACT concerning Kansas state university; renaming Kansas state university polytechnic campus as Kansas state university - Salina; requirements for admission and credential and degree programs; amending K.S.A. 74-3209, 76-156a, 76-205, 76-213, 76-218, 76-751, 76-754, 76-756 and 76-7,126 and repealing the existing sections, by Committee on Ways and Means.

SB 482, AN ACT concerning property taxation; relating to tax levy rates; providing that county clerks are not required to send revenue neutral rate notices to property owners of exempt property; amending K.S.A. 2023 Supp. 79-2988 and repealing the existing section, by Committee on Ways and Means.

SB 483, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of interference with a security camera in a correctional institution and providing criminal penalties therefor, by Committee on Judiciary.

SB 484, AN ACT concerning property taxation; relating to exemptions; providing exemptions for certain personal property including watercraft, marine equipment, off-road vehicles, motorized bicycles and certain trailers; amending K.S.A. 79-213 and 79-5501 and repealing the existing sections, by Committee on Ways and Means.

SB 485, AN ACT concerning education; relating to the tax credit for low income students scholarship program; authorizing students attending public schools with low proficiency scores and certain private elementary and secondary students to participate

in such program; amending K.S.A. 72-4351 and K.S.A. 2023 Supp. 72-4352 and 72-5132 and repealing the existing sections, by Committee on Education.

INTRODUCTION OF SENATE RESOLUTIONS

SR 1737, A RESOLUTION affirming Texas Governor, Greg Abbott's right to defend the state of Texas from unrestrained illegal immigration, by Senators Masterson, Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, O'Shea, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren and Wilborn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 466, SB 468.**

Commerce: **SB 464, SB 467; HB 2545.**

Education: **SB 465, SB 469, SB 470.**

Federal and State Affairs: **SB 471.**

Judiciary: **SB 458, SB 463, SB 472, SB 473.**

Public Health and Welfare: **SB 460, SB 461.**

Transportation: **SB 459, SB 462.**

Utilities: **SB 455, SB 456, SB 457.**

The President referred **SR 1737** to the Calendar under the heading of **General Orders**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator Alley introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. **1738**—

A RESOLUTION recognizing February 7, 2024, as JAG-K Day at the Capitol.

WHEREAS, Jobs for America's Graduates-Kansas (JAG-K) is a Section 501(c)(3) not-for-profit organization that partners with public schools, communities and employers to help students overcome challenges and prepare for successful futures; and

WHEREAS, In 2023-2024, there are 112 JAG-K programs, including focused programming for system-involved youth unable to participate in the traditional school-to-career programs; and

WHEREAS, JAG-K is an evidence-based program with objective performance measures; and

WHEREAS, In a small group-classroom setting, students explore career opportunities and learn the skills necessary to successfully transition to postsecondary education, military service, or the workforce following their graduation; and

WHEREAS, JAG-K has a 95% graduation rate statewide, and 85% of JAG-K graduates are full-time participants in post-secondary education, military service, or the workforce 12 months after their senior year; and

WHEREAS, JAG-K works with students in foster care, and their graduation rate is more than 20% higher than the state average rate for students in foster care not in a JAG-K program; and

WHEREAS, Nationally, JAG graduates are 230% more likely to be employed than

peers not in a JAG program: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize February 7, 2024, as JAG-K Day at the Capitol; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Alley.

On emergency motion of Senator Alley **SR 1738** was adopted by voice vote.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2495**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2495 was thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 347** be passed.

Committee on **Commerce** recommends **SB 430** be passed.

Committee on **Education** recommends **SB 360** be amended on page 2, in line 7, by striking "council" and inserting "committee"; in line 10, by striking "council" and inserting "committee"; in line 13, by striking "council" and inserting "committee";

On page 1, in the title, in line 5, by striking "council" and inserting "committee"; and the bill be passed as amended.

Also, **SB 386** be amended on page 3, in line 2, by striking "except as provided in paragraph (4),";

On page 4, by striking all in lines 19 through 22;

On page 1, in the title, by striking all in line 4; in line 5, by striking all before "amending"; and the bill be passed as amended.

SB 387 be amended on page 2, in line 12, after "process" by inserting "on or before July 30 of each year.

(6) If an application by a nonresident student is denied by the school district, the parent or person acting as parent of such student may appeal such denial to the school district board of education. If the appeal is unsuccessful, the parent or person acting as parent may appeal to the commissioner of education who shall conduct a hearing on the appeal in accordance with the Kansas administrative procedure act";

On page 3, in line 24, after "(j)" by inserting "Neither a resident school district nor"; also in line 24, by striking "not"; in line 25, after "students" by inserting ", unless otherwise required by applicable law";

On page 1, in the title, in line 3, after the semicolon by inserting "allowing parents to appeal the denial of an open enrollment application;"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 363** be passed.

Your Committee on **Utilities** begs leave to submit the following report: The following appointment was referred to and considered by the committee, and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Commissioner, State Corporation Commission: K.S.A. 74-601

Andrew French, to fill a term expiring on March 15, 2028

FEBRUARY 7, 2024

1485

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, February 8, 2024.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

