

Governor vetoes bills requiring daily recess, annual fitness test of students

By **TIM CARPENTER**
KansasReflector.com

Senate President Ty Masterson and Gov. Laura Kelly agree on the value of recess for elementary students and annual fitness testing in first through 12th grades, but the governor vetoed the bill because the Kansas State Board of Education is responsible for setting curriculum standards. This image was shot in 2022. (Photo by Sherman Smith/Kansas Reflector)

TOPEKA — Senate President Ty Masterson says the Kansas Legislature justifiably flexed its political muscle to approve a bill mandating public schools administer fitness tests to students in first through 12th grades and require 30 minutes of unstructured recess for elementary students.

Gov. Laura Kelly disagreed enough with Masterson, and a majority of his colleagues in the House and Senate, to veto House Bill 2763. It mandated the Kansas State Board of Education initiate this year the physical fitness test and implement by 2027 the directive on recess.

“This veto by Laura Kelly is absurd,” said Masterson, who seeks the Republican nomination for governor in a bid to fill Kelly’s shoes in January. “When I’m governor next year, this bill will become law.”

He said state government had a vested interest in requiring school districts to improve the health of children and to promote healthy habits that might be sustained for a lifetime.

Under the bill passed 74-47 in the House and 29-11 in the Senate, recess couldn’t be limited or withheld for disciplinary reasons

unless a student was viewed as an immediate threat.

Kelly, a Democrat nearing the end of her second term as governor, supported the idea that elementary students needed at least 30 minutes of recess every day at school. Recess is capable of enhancing the ability of students to learn in the classroom, she said.

She also welcomed implementation of the annual fitness test for students to comply with requirements for receiving federal funding for a rural health initiative. Students with a disability or those with a medical excuse confirmed by a physician would be exempt.

Kelly said elected members of the state Board of Education were committed to fitness tests for students once federal officials issued guidance to states. In addition, the governor said, state education leaders pledged to affirm a recommendation that districts deliver a minimum 30 minutes of recess daily.

“I appreciate the state Board of Education’s willingness to use its constitutional authority to modify curriculum requirements,” Kelly said.

Meanwhile, the governor decided Monday to veto House Bill 2515, which would have allowed gold and silver coins to be recognized as legal currency in Kansas. The legislation would have eliminated the state’s income tax on capital gains from exchange of the precious metals. In addition, the bill removed new legal tender from the state’s sales and property taxes.

Kelly said she vetoed HB 2515 because the act would benefit a subsection of Kansas investors and decrease the revenue necessary to operate state government.

“I have made it a priority during my administration to find ways to reduce the tax burden for Kansans, best evidenced by the elimination of both the food sales tax and the state income tax on Social Security,” she said. “I have also made it a priority to protect the state’s ability to meet its obligations to fund schools, build roads, take care of foster children and other essential services, while ensuring the long-term financial health of the state.”

Kelly vetoed House Bill 2111, which was passed by the Senate on a vote of 27-13 and by the House with a 71-49 vote.

She said the bill was designed to inhibit local government regulation of a new class of agritourism businesses. It was improper for the state to infringe on the cities and counties best positioned to partner with businesses engaged in tourism associated with the agriculture economy, she said.

She said the legislation was requested by a single business and rammed through the legislative process at the end of the annual session.

“It is irresponsible for the Legislature to rush to amend state law on behalf of a single entity when the changes contained in this bill could have far-reaching negative consequences,” Kelly said.

Kelly also vetoed House Bill 2044, which would have provided a state income tax exemption for individuals serving on active duty in the U.S. military. It was unanimously approved by the Senate and by a margin of 116-4 in the House.

Because the House and Senate have officially ended their sessions for the year, Kelly’s vetoes of these bills cannot be overridden.

Students Help



Submitted photos
Last week, Erie Elementary teacher Lisa Maher spent a couple of days taking her classes out to clean the areas around the school. What a difference it made, seeing the students take part in keeping their community clean while having some fun.



Legal Notices

First Published in The Erie Record April 24, 2026

IN THE DISTRICT COURT OF NEOSHO COUNTY, KANSAS

THIRTY-FIRST JUDICIAL DISTRICT OF KANSAS PROBATE DIVISION - SITTING IN ERIE

In the Matter of the Estate of GLADYS CATHERINE THORSELL a/k/a CATHERINE THORSELL, deceased

Case No. NOE-2022-PR-000012 Pursuant to Chapters 59 & 60 of the Kansas Statutes Annotated

THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You are hereby notified that a Petition for Probate of Will and Issuance of Letters of Testamentary has been filed with this Court by WILLIAM R. THORSELL, Executor named in the Last Will and Testament of GLADYS CATHERINE THORSELL a/k/a CATHERINE THORSELL, deceased.

All creditors are notified to exhibit their demands against the estate within the latter of four (4) months from the date of the first publication of this Notice, as provided by law, or if the identity of the creditor is known or reasonably ascertainable, 30 days after actual notice was given as provided by law, and if their demands are not thus exhibited they shall be forever barred.

WILLIAM R. THORSELL, Executor

PREPARED AND APPROVED: BIDEAU LAW OFFICES, LLC David J. Bideau #11285 Kenna B. Bideau-Kepley #28097 P. O. Box 945 18 North Forest Avenue Chanute, Kansas 66720-0945 djb@bideaulaw.com (Email) (620) 431-2720 (Voice) (620) 431-2742 (Fax) Attorneys for Petitioner

First Published in The Erie Record April 17, 2026

IN THE DISTRICT COURT OF NEOSHO COUNTY, KANSAS

THIRTY-FIRST JUDICIAL DISTRICT OF KANSAS PROBATE DEPARTMENT - SITTING IN ERIE

In the Matter of the Estate of RANDLE R. FINLEY, deceased

Case No. NOE-2026-PR-000012 Pursuant to Chapter 59 & 60 of the Kansas Statutes Annotated

NOTICE OF HEARING AND NOTICE TO CREDITORS

THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You are hereby notified that a Petition has been filed in this Court by JANIS J. JESSEPH-FINLEY, who is the surviving spouse and an heir-at-law of RANDLE R. FINLEY, deceased, requesting estate administration and appointment of an Administrator and that Letters of Administration be granted and issued to her without bond.

You are hereby required to file your written defenses thereto on or before the 12th day of May, 2026, at 9:00 a.m. of such day in this Court, Neosho County Judicial Center, Magistrate Courtroom, Upper Level, 102 South Lincoln, Chanute, Kansas 66720 at which time and place the cause will be heard. Should you fail therein, judgment and decree will be entered in due course upon said Petition.

All creditors are notified to exhibit their demands against the estate within the latter of four (4) months from the date of the first publication of this Notice, as provided by law, or if the identity of the creditor is known or reasonably ascertainable, 30 days after actual notice was given as provided by law, and if their demands are not thus exhibited, they shall be forever barred.

JANIS J. JESSEPH-FINLEY, Petitioner

PREPARED AND APPROVED: BIDEAU LAW OFFICES, LLC David J. Bideau #11285 18 North Forest Avenue P. O. Box 945 Chanute, Kansas 66720-0945 (620) 431-2720 (Voice) (620) 431-2742 (Fax) Email: djb@bideaulaw.com Attorneys for Petitioner

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IN THE DISTRICT COURT OF NEOSHO COUNTY, KANSAS

THIRTY-FIRST JUDICIAL DISTRICT OF KANSAS PROBATE DEPARTMENT - SITTING IN ERIE

In the Matter of the Estate of DONALD LEE SPENCER, SR. a/k/a DONALD L. SPENCER, SR. deceased

Case No. NOE-2026-PR-000014 Pursuant to Chapters 59 and 60 of the Kansas Statutes Annotated

NOTICE OF HEARING

THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You are hereby notified that a Petition has been filed in this Court by DEVIN L. SPENCER, SR., who is an heir-at-law of DONALD LEE SPENCER, SR., a/k/a DONALD L. SPENCER, SR., deceased, praying for the determination of descent with respect to the following described property, to wit:

Lot One (1), Block Six (6), BENEDICT’S FIRST ADDITION to the City of Chanute, Neosho County, Kansas, commonly known as 602 South Kansas Avenue, Chanute, Kansas 66720.

together with all improvements thereon and all other real or personal property or interests therein owned by the decedent at the time of his death, however evidenced, and you are hereby required to file your written defenses thereto on or before the 12th day of May, 2026, at 9:00 o’clock A.M. in the District Court of Neosho County, Kansas, Neosho County Judicial Center, Magistrate Courtroom, Upper Level, 102 South Lincoln Street, Chanute, Neosho County, Kansas 66720 at which time and place the said cause will be heard. Should you fail therein, judgment and decree will be entered in due course upon said Petition.

DEVIN L. SPENCER, SR., Petitioner

PREPARED AND APPROVED: BIDEAU LAW OFFICES, LLC David J. Bideau #11285 Kenna B. Bideau-Kepley #28097 18 North Forest Avenue P. O. Box 945 Chanute, Kansas 66720-0945 (620) 431-2720 (Voice) (620) 431-2742 (Fax) Email: djb@bideaulaw.com Attorneys for Petitioner

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