

Journal of the Senate

FIFTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 29, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 36 senators present.
Senators Claeys, Haley, Holland and Pyle were excused.
Invocation by Reverend Cecil T. Washington:

Reward Good - Punish Evil - Guilt Free
Romans 13:1-10

Heavenly Father, we come today with gratefulness, delighted that the Kansas City Chiefs are AFC Champions and headed for the Super Bowl. But beyond that, in these halls, we're grateful for the opportunity to serve, to be part of our governing process.

In Romans 13:1-10, You give us the responsibilities of a civilized government. And Lord, please keep those principles forefront in our minds. You said that civilized governing authorities are actually instituted by You for the good of the people. And with the divine purpose of rewarding good, punishing evil and enabling us to have a clear conscience, You said that paying our taxes is for the financial support of this endeavor. But, You make it clear that what we owe is far more than just tax support.

You command us to pay ALL our obligations, to fulfill ALL indebtedness, tolls, levies, and fees. Also respect appreciation, honor and kindness, and standing above these is the indebtedness that we cannot pay in full that encapsulates everything.

Lord, it's the obligation You make primary and with these being the halls where civil laws are being considered, You say it's the law that none of us can say, "I've done that... been there... got the t-shirt!"

In verse 10, You sum it up this way, love your neighbor as yourself. Love does no wrong to a neighbor, therefore, love is the fulfillment of the law. So Lord, in the Name of Jesus, I'm asking You to help me and each of us to work at loving one another as we love ourselves, Amen.

The Pledge of Allegiance was led by President Masterson.

Reverend Washington sang "Home on the Range" in celebration of Kansas' 163rd Birthday.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 406, AN ACT concerning financial institutions; enacting the Kansas money

transmission act; relating to the electronic transmission of money; oversight thereof by the state bank commissioner; establishing powers, duties and responsibilities of the state bank commissioner; licensing and renewal processes; penalties; repealing K.S.A. 9-508, 9-509, 9-510, 9-510a, 9-511, 9-513, 9-513a, 9-513b, 9-513c, 9-513d, 9-513e and K.S.A. 2023 Supp. 9-512, by Committee on Financial Institutions and Insurance.

SB 407, AN ACT concerning education; relating to the state board of education; authorizing teaching licenses for individuals who complete an alternative teacher certification program, by Committee on Education.

SB 408, AN ACT concerning transportation; relating to driver training; changing requirements to allow driving school instructors to hold a valid driver's license from any state; amending K.S.A. 8-276 and repealing the existing section, by Committee on Federal and State Affairs.

SB 409, AN ACT concerning discrimination; relating to the Kansas act against discrimination; prohibiting county or city legislation that would modify the established classes of individuals protected from discrimination under such act; amending K.S.A. 44-1001, 44-1002 and 44-1015 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 410, AN ACT concerning roads and highways; designating a portion of United States highway 69 as the Ken W Brock memorial highway, by Committee on Assessment and Taxation.

SB 411, AN ACT concerning state audits; abolishing the division of legislative post audit and the legislative post audit committee; creating the office of state auditor and providing for the powers and duties thereof; providing for the election of the state auditor and term of office; enacting the state audit act; amending K.S.A. 25-101, 25-101a, 25-213a and 25-4001 and K.S.A. 2023 Supp. 25-213 and 75-3101a and repealing the existing sections; also repealing K.S.A. 46-1101, 46-1102, 46-1103, 46-1104, 46-1106, 46-1108, 46-1109, 46-1112, 46-1113, 46-1114, 46-1115, 46-1116, 46-1117, 46-1118, 46-1119, 46-1120, 46-1120a, 46-1122, 46-1123, 46-1125, 46-1126, 46-1127, 46-1128, 46-1129, 46-1135, 46-1136 and 46-1137, by Senator Olson.

SB 412, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; providing that the supervision term in certain multiple conviction cases will be based on the longest supervision term imposed for any of the crimes; amending K.S.A. 21-6819 and repealing the existing section, by Committee on Judiciary.

SB 413, AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; specifying penalties for unlawful distribution of controlled substances with respect to material containing any quantity of a fentanyl-related controlled substance when distributed by weight or dosage unit; amending K.S.A. 21-5705 and repealing the existing section, by Committee on Judiciary.

SB 414, AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; increasing penalties for unlawful distribution of controlled substances with respect to material containing any quantity of a fentanyl-related controlled substance; creating a special sentencing rule for such unlawful distribution thereof; amending K.S.A. 21-5705 and 21-6805 and repealing the existing sections, by Committee on Judiciary.

SB 415, 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 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, by Committee on Judiciary.

SB 416, AN ACT concerning children and minors; relating to juvenile offenders; the revised Kansas juvenile justice code; prohibiting fines, fees and costs from being assessed against a juvenile or a juvenile's parent, guardian or custodian; amending K.S.A. 12-16, 119, 20-3129, 21-6609, 22-4905, 28-170, 28-170a, 28-176, 38-2306, 38-2312, 38-2315, 38-2317, 38-2328, 38-2331, 38-2346, 38-2348, 38-2360, 38-2361, 38-2362, 38-2369, 38-2373, 38-2384, 38-2389, 38-2396, 38-2399 and 75-724 and K.S.A. 2023 Supp. 28-177 and repealing the existing sections; also repealing K.S.A. 20-167, 38-2314, 38-2319, 38-2321, 38-2322 and 38-2324, by Committee on Judiciary.

SB 417, AN ACT repealing K.S.A. 32-840; removing the secretary of wildlife and park's authority to exercise the right of eminent domain, by Committee on Agriculture and Natural Resources.

SB 418, AN ACT concerning courts; requiring the clerk of the appellate courts to publish monthly a list of cases of the supreme court and court of appeals in which a decision has not been entered and filed within six months of submission and a list of cases in which a petition for review has not been granted or denied within six months of submission; amending K.S.A. 20-3301 and repealing the existing section, by Committee on Judiciary.

SB 419, AN ACT concerning crimes, punishment and criminal procedure; relating to aggravated endangering a child; increasing the criminal penalties in certain environments associated with fentanyl-related controlled substances or when bodily harm to the child results; amending K.S.A. 21-5601 and repealing the existing section, by Committee on Judiciary.

SB 420, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving violations of personal rights; eliminating the element of concealment from the crime of breach of privacy related to installing or using a device to photograph or record another identifiable person under or through the clothing being worn by that other person or another identifiable person who is nude or in a state of undress; amending K.S.A. 21-6101 and repealing the existing section, by Committee on Judiciary.

SB 421, AN ACT concerning sales taxation; relating to exemptions; providing a sales tax exemption for exploration place, inc.; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Senators Blasi, Alley, Erickson, Fagg, Faust-Goudeau, Kerschen, Masterson, Petersen and Ware.

SCR 1615—A CONCURRENT RESOLUTION rejecting the rates of compensation and salary for members of the Legislature set by the Legislative Compensation Commission, by Senators Tyson, Baumgardner, Doll, Shallenburger, Steffen, Straub and Warren

INTRODUCTION OF SENATE RESOLUTIONS

SR 1733—A RESOLUTION affirming the Kansas senate's unwavering support for free press in the state of Kansas and directing the attorney general to make a report to

the body concerning the Colorado bureau of investigation's inquiry regarding the extent to which the civil rights of any Kansan were violated when certain search warrants were executed in Marion, Kansas, on August 11, 2023, by Senators Sykes, Francisco, Haley, Holscher, Pettey, Reddi and Ware.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Financial Institutions and Insurance: **SB 405**.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, January 30, 2024.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

