

# Journal of the Senate

## ELEVENTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Tuesday, January 28, 2025, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 37 senators present.

Senators J.R. Claeys, Kloos and Shane were excused.

President Masterson introduced guest chaplain, Doug Henkle, who delivered the following invocation:

Father God, this building is filled today with people concerned about issues regarding the young people of our state. But none care more about them than You. Jesus, You said in Your word, "Let the little children come to Me, and do not hinder them, for the Kingdom of Heaven belongs to such as these."

Thank You so much for all the young folks in our state. We pray You would show us, in this chamber, all You would have us do to protect and encourage them, that they would grow to be the men and women You created them to be. I pray You would keep them healthy and cause them to thrive. I thank You that You know every hair on their head. You know exactly when they rise and when they fall. Watch over the young folks of our state in every area of their lives and keep them safe.

Lord, remind teachers that You listen and are there, no matter the time, place, or situation. Remind them that You shoulder the weight of their burdens. Cause them to turn to You with thanksgiving. Cause them to love and care for their students, especially when classroom management is challenging. Through difficult times, give them patience and peace. Cause them to see what they couldn't see before. Give them the grace to see that they don't have to manage everything on their own. Fill them with Your calming presence so that they may seek You out in prayer. Father, remind them that You work all things together for the good for those who love You and are called according to Your purpose.

I pray for President Masterson, Vice President Shallenburger, Majority Leader Blasi and Minority Leader Sykes. Bless them as they lead this chamber. And Lord, give each Senator Your wisdom, Your insight, and Your direction. In Jesus' Name, Amen.

The Pledge of Allegiance was led by President Masterson.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**SB 85**, AN ACT concerning public assistance; relating to the secretary for children and families; directing the secretary to enter into agreements with state agencies for the continuous review and comparison of data for public assistance eligibility; requiring the

secretary to review federal sources to verify such eligibility, by Committee on Government Efficiency.

**SB 86**, AN ACT concerning the passenger rail service program; establishing the intercity passenger rail service program; making transfers annually to the passenger rail service revolving fund; amending K.S.A. 75-5089 and repealing the existing section, by Committee on Transportation.

**SB 87**, AN ACT concerning education; relating to the tax credit for low income student scholarship program; expanding eligibility thereof; eliminating the eligibility requirement that students shall have been previously enrolled in public school; increasing the tax credit for contributions made to such program; providing for aggregate tax credit limit increases under certain conditions; amending K.S.A. 72-4353 and K.S.A. 2024 Supp. 72-4352 and 72-4357 and repealing the existing sections, by Committee on Education.

**SB 88**, AN ACT concerning the state long-term care ombudsman; requiring the state long-term care ombudsman and any regional ombudsman to receive training in memory care; amending K.S.A. 75-7306 and repealing the existing section, by Committee on Public Health and Welfare.

**SB 89**, AN ACT concerning agriculture; relating to poultry disease control; authorizing the commissioner to adopt rules for establishing fees related to the poultry disease control act; prohibiting the shipment of poultry into Kansas unless such poultry meet plan requirements; establishing an annual participation fee for the national poultry improvement plan, a certification fee for persons performing testing and diagnostic services and a fee for providing testing or diagnostic services related to pullorum-typhoid; authorizing the commissioner to revoke plan participation for failure to pay the annual plan participation fee within a 60-day grace period; amending K.S.A. 2-909, 2-910, 2-911, 2-912, 2-913, 2-914 and 2-915 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

**SB 90**, AN ACT concerning property taxation; relating to exemptions; providing for a property tax exemption from local government levies to the extent of the first \$100,000 of appraised value for certain owner-occupied homes; authorizing local governments to propose a ballot question to opt out of such property tax exemption and to exclude such local government's levy from all or 1/2 of the exemption if approved by the electors, by Senator Schmidt.

**SB 91**, AN ACT concerning civil actions; relating to actions for wrongful conviction and imprisonment; providing for payment of interest; directing the attorney general to file certain collateral actions; amending K.S.A. 2024 Supp. 60-5004 and repealing the existing section, by Senator Haley.

**SB 92**, AN ACT concerning the state corporation commission; relating to electric transmission line siting permits; extending the time in which the commission shall make a final order on an electric transmission line siting application; amending K.S.A. 66-1,178 and repealing the existing section, by Committee on Utilities.

**SB 93**, AN ACT concerning the state corporation commission; providing for the statewide election of the commissioners of the state corporation commission; establishing an election schedule for the election of such commissioners; authorizing gubernatorial appointments until commissioners are elected; amending K.S.A. 25-101, 25-101a, 25-4001, 74-601, 74-605 and 74-630 and repealing the existing sections, by Committee on Utilities.

**SB 94**, AN ACT concerning criminal procedure; relating to restitution; requiring a person convicted of an offense that resulted in the incapacitation or death of a victim who is the parent or guardian of a minor child to pay restitution in the form of child support, by Senator Haley.

**SB 95**, AN ACT concerning economic development; providing that the city or county creation of port authorities may be approved by the legislature through the enactment of a bill; authorizing the governing body of the unified government of Wyandotte county and Kansas City, Kansas, to create a port authority; amending K.S.A. 12-3402 and repealing the existing section, by Senator Haley.

**SB 96**, AN ACT concerning deprivation of rights under color of law; creating the crime of deprivation of rights under color of law and providing criminal penalties therefor; authorizing a civil cause of action; requiring restitution to the victim; amending K.S.A. 22-3424 and repealing the existing section, by Senator Haley.

**SCR 1606**—A CONCURRENT RESOLUTION approving the creation of a port authority in Wyandotte County and Kansas city, Kansas, by Senator Haley.

#### **INTRODUCTION OF SENATE RESOLUTIONS**

The following resolution was introduced and read by title:

**SR 1706**, A RESOLUTION condemning the pardons and commutations of sentences for those individuals involved in the violent attack on law enforcement officers at the United States capitol building on January 6, 2021, by Senators Schmidt, Francisco, Haley, Holscher, Pettey, Sykes and Ware.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 80**.

Education: **SB 76, SB 78**.

Federal and State Affairs: **SB 83**.

Government Efficiency: **SB 77, SB 79**.

Judiciary: **SB 84**.

Public Health and Welfare: **SB 82**.

Utilities: **SB 81**.

#### **MESSAGES FROM THE GOVERNOR**

Enclosed herewith is Executive Directive No. 25-593 (January 27, 2025)

#### **COMMITTEE OF THE WHOLE**

On motion of Senator Blasi, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Billinger in the chair.

On motion of Senator Billinger the following summary report was adopted:

**SB 10** be passed as amended by adoption of the committee reports.

**SB 35** be passed as amended by adoption of the committee reports and as further amended by Committee of the Whole.

## COMMITTEE OF THE WHOLE ACTIONS

**SB 10** be amended by the adoption of the committee amendments.

A motion by Senator Francisco to amend **SB 10** failed and the following amendment was rejected; on page 1, in line 18, after the stricken material, by inserting "and"; in line 19, by striking all after "equipment"; in line 20, by striking all before the period; in line 22, by striking all after "(1)"; by striking all in line 23; in line 24, by striking "(2)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 1, in the title, in line 3, by striking the third comma and inserting "and"; in line 4, by striking all before the semicolon

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

On roll call, the vote was: Yeas 11; Nays 25; Present and Passing 0; Absent or Not Voting 4.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holscher, Pettey, Schmidt, Shallenburger, Sykes, Titus, Ware.

Nays: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, Joseph Claeys, Clifford, Dietrich, Erickson, Fagg, Gossage, Klemp, Masterson, Murphy, Owens, Peck, Petersen, Rose, Ryckman, Starnes, Thomas, Tyson, Warren.

Absent or Not Voting: J.R. Claeys, Kloos, Shane, Thompson.

**SB 35** be amended by the adoption of the committee amendments, be further amended by motion of Senator Starnes; on page 2, in line 36, after the period by inserting "All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund.";

On page 5, in line 16, after the period by inserting "All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund."

**SB 35** be further amended by motion of Senator Tyson; on page 2, in line 26, by striking "residential" and inserting "taxable"; in line 27, by striking all before "property"

## REPORTS OF STANDING COMMITTEES

Committee on **Transportation** recommends **SB 8** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

## REPORT ON ENROLLED BILLS, CONCURRENT AND SENATE RESOLUTIONS

**SR 1704** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 28, 2025.

On motion of Senator Blasi, the Senate adjourned until 2:30 p.m., Wednesday, January 29, 2025.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

