

# Journal of the Senate

## TWELFTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Wednesday, January 24, 2024, 2:30 p.m.

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

Never Stop Praying  
1 Thessalonians 5:17; Acts 10:1-5, 34-35

Heavenly Father, in 1 Thessalonians 5:17 Your Word says we should never stop praying. Lord, I believe You're telling us that in everything, no matter what it is, we should always be in tune with You, never so busy or engaged as to miss specific guidance from You. Help us maintain an ongoing attitude of prayer where our spiritual antenna is always up and tuned in, ready to hear from You.

In Acts 10:2-5, Cornelius, a Roman military officer, had his Godly antenna up while the Apostle Peter, a Jew, was also tuned in to You; two different people representing contrary, divided cultures. But Lord, You desire that people endeavor to overcome their differences and come together. After it was clear that You wanted harmony, both Cornelius and Peter overcame their differences and Peter says, in Acts 10:34-35, "I see very clearly now that God shows no favoritism. In every nation He accepts those who revere Him and do what is right." Lord, in like manner, help us keep our ears tuned to Your frequency.

And, as we listen to You, guide us in looking beyond our differences, that we may be in a Godly alliance blessing You, then each other and blessing those we serve. I offer this prayer in the Name of the Tri-Unity, God the Father, God the Son and God the Holy Spirit, that we might practice loving one another. 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 388**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; increasing the amount of retiree compensation subject to the statutory employer contribution rate; amending K.S.A. 74-4937 and K.S.A. 2023 Supp. 74-4914 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

**SB 389**, AN ACT concerning agriculture; relating to the farm animal and field crop and research facilities protection act; prohibiting entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas; providing penalties for violations thereof; removing the intent to destroy property; amending K.S.A. 47-1826 and 47-1827 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

**SB 390**, AN ACT concerning public health; relating to medical care; enacting the conscientious right to refuse act; prohibiting discrimination against individuals who refuse certain medical interventions and creating a civil cause of action against entities who discriminate based upon such medical care refusal; revoking the authority of the secretary of health and environment to order individuals to isolate or quarantine and impose penalties for violations thereof; repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c, by Committee on Public Health and Welfare.

**SB 391**, AN ACT concerning public health; relating to infectious or contagious diseases; changing the authority of the secretary of health and environment and local health officers; naming the constitutional right to health freedom act; revoking the authority of the secretary to order individuals to isolate or quarantine and impose penalties for violations thereof; amending K.S.A. 65-116g, 65-118, 65-119, 65-128, 65-129b and 65-129d and K.S.A. 2023 Supp. 65-101, 65-202 and 72-5180 and repealing the existing sections; also repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c, by Committee on Public Health and Welfare.

**SB 392**, AN ACT concerning the prescription monitoring program; relating to the attorney general; granting the medicaid inspector general access to the prescription monitoring program database without a warrant; replacing the member of the program advisory committee representing the Kansas bureau of investigation with a member nominated by the office of the attorney general; amending K.S.A. 65-1690 and K.S.A. 2023 Supp. 65-1685 and 65-1689 and repealing the existing sections, by Committee on Judiciary.

**SB 393**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; requiring automated expungement of certain records; sealing such records from public view and limiting disclosure thereof; amending K.S.A. 21-6614 and repealing the existing section, by Committee on Judiciary.

**SB 394**, AN ACT concerning consumer protection; relating to internet content that is harmful to minors; requiring age verification for access to such content; providing for civil penalties for violations; establishing a civil cause of action for damages, attorney fees and costs, by Committee on Judiciary.

**SB 395**, AN ACT concerning the university of Kansas hospital authority; requiring prior approval by the legislature or the legislative coordinating council when the legislature is not in session, when purchasing, leasing, trading, exchanging or otherwise acquiring, constructing, repairing, remodeling or renovating any real property or facility outside of the state of Kansas; amending K.S.A. 76-3308 and repealing the existing section, by Committee on Ways and Means.

**SB 396**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; reducing the required waiting period to return to work for a period beginning July 1, 2024, and ending July 1, 2029; amending K.S.A. 74-4937 and K.S.A. 2023 Supp. 74-4914 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to Committees as indicated:

Education: **SB 386, SB 387.**

Federal and State Affairs: **SB 385.**

Judiciary: **SB 379, SB 380, SB 381.**

Local Government: **SB 383, SB 384.**

Ways and Means: **SB 378, SB 382.**

**INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS**

Senators Baumgardner, Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren and Wilborn introduced the following Senate resolution, which was read:

**SENATE RESOLUTION No. 1732—**

A RESOLUTION congratulating and commending  
the members of the 2024 Kansas Teacher of the Year team.

WHEREAS, The Kansas State Department of Education sponsors the Kansas Teacher of the Year program, which identifies, recognizes and utilizes representatives of excellent teaching in the elementary and secondary classrooms of the state; and

WHEREAS, The mission of the program is to build and utilize a network of exemplary teachers who are leaders in the improvement of schools, student performance and the teaching profession; and

WHEREAS, Two teachers – one elementary and one secondary – in each of the state's four United States congressional districts were selected as finalists for recognition as Kansas Teacher of the Year, with the recipient being chosen from among the eight finalists; and

WHEREAS, The Kansas Teacher of the Year is awarded with the Hubbard Foundation Kansas Teacher of the Year Ambassadorship, which enables the person selected to devote significant time during the second semester to activities supporting the mission of the program. The 2024 Kansas Teacher of the Year and finalists were honored at an awards banquet on September 23, 2023. All members received a cash award as well as mementos of the event; and

WHEREAS, The Kansas Teacher of the Year is nominated to represent Kansas in the National Teacher of the Year program, a project of the Council of Chief State School Officers, presented by Voya Financial; and

WHEREAS, The 2024 Kansas Teacher of the Year is Taylor Bussinger, Olathe USD 233; and the regional finalists are: Cherryl Delacruz, Topeka USD 501; Gretchen Elliott, Smoky Valley USD 400; Joanna Farmer, Wichita USD 259; Melissa Haney, Goddard USD 265; Erin Pittenger, Rock Creek USD 323; Michelle Tapko, Shawnee Mission USD 512; Fonda Telthorst, Piper Kansas City USD 203: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend the members of the 2024 Kansas Teacher of the Year team; and

*Be it further resolved:* That the Secretary of the Senate shall send eight enrolled copies of this resolution to Senator Baumgardner.

On emergency motion of Senator Baumgardner **SR 1732** was adopted by voice vote.

**COMMUNICATIONS FROM STATE OFFICERS**

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

Kansas Prescription Drug Monitoring Program Report, Kansas Board of Pharmacy.

**REPORTS OF STANDING COMMITTEES**

Committee on **Federal and State Affairs** recommends **SB 249** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 249," as follows:

"Substitute for SENATE BILL NO. 249

By Committee on Federal and State Affairs

"AN ACT concerning the offices of the state treasurer, the commissioner of insurance and the lieutenant governor; relating to the filling of a vacancy in such offices; requiring appointment of a person of the same political party as the incumbent; requiring senate confirmation of such appointment; amending K.S.A. 25-101b, 40-106 and 75-127 and repealing the existing sections.";

And the substitute bill be passed.

Committee on **Judiciary** recommends **SB 190** be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, January 25, 2024.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

