

Journal of the Senate

THIRTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 24, 2021, 2:30 p.m.

The Senate was called to order pro forma by Vice President Rick Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 276, AN ACT concerning children and families; preserving families that include a parent who is blind; providing for certain considerations relating to cases involving legal custody, residency, parenting time, children in need of care, adoption, foster care and guardianship, by Committee on Federal and State Affairs.

SB 277, AN ACT concerning property taxation; authorizing continuation of the statewide levy for schools and the exemption of a portion of residential property from such levy; amending K.S.A. 79-201x and K.S.A. 2020 Supp. 72-5142 and repealing the existing sections, by Committee on Ways and Means.

SB 278, AN ACT concerning distinctive license plate fees; requiring reporting by sponsoring organizations of income and expenditures derived from such fees, by Committee on Ways and Means.

SB 279, AN ACT concerning energy; establishing the wind generation permit and property protection act; relating to certain electric generation facilities; imposing setbacks from certain property; restricting approval of facilities by boards of county commissioners; terminating property easements and conveyances; imposing certain conditions thereto; amending K.S.A. 2020 Supp. 58-2272 and repealing the existing section, by Committee on Federal and State Affairs.

SENATE CONCURRENT RESOLUTION No. **SCR 1609**—

By Committee on Ways and Means

A PROPOSITION to amend article 1 of the constitution of the state of Kansas by adding a new section thereto, concerning oversight by the legislature of certain executive branch actions.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 1 of the constitution of the state of Kansas is hereby amended by

adding a new section to read as follows:

"§ 17. **Legislative oversight of administrative rules and regulations.** Whenever the legislature by law has authorized any officer or agency within the executive branch of government to adopt rules and regulations that have the force and effect of law, the legislature may provide by law for the revocation or suspension of any such rule and regulation, or any portion thereof, upon a vote of a majority of the members then elected or appointed and qualified in each house."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of this amendment is to provide the legislature with oversight of state executive branch agencies and officials by providing the legislature authority to establish procedures to revoke or suspend rules and regulations.

"A vote for this proposition would allow the legislature to establish procedures to revoke or suspend rules and regulations that are adopted by state executive branch agencies and officials that have the force and effect of law.

"A vote against this proposition would allow state executive branch agencies and officials to continue adopting rules and regulations that have the force and effect of law without any opportunity for the legislature to directly revoke or suspend such rules and regulations."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 269.**

Judiciary: **SB 270, SB 271, SB 272.**

Public Health and Welfare: **SB 274, SB 275.**

Ways and Means: **SB 268.**

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2191, HB 2237, HB 2254, HB 2262.**

Announcing passage of **SB 27.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2191, HB 2237, HB 2254, HB 2262 were thereupon introduced and read by title.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 245** from the Committee on **Financial Institutions and Insurance**, and referred the bill to the Committee on **Federal and State Affairs**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 71** be passed.

Committee on **Commerce** recommends **SB 126** be passed.

Committee on **Public Health and Welfare** recommends **SB 170** be passed.

Also, **SB 175** be amended on page 3, in line 21, by striking all after "organization"; by striking all in lines 22 and 23; in line 24, by striking all before "coverage" and inserting "and all"; in line 29, by striking "or critical access hospital"; and the bill be passed as amended.

Committee on **Transparency and Ethics** recommends **Substitute for HB 2049** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, February 25, 2021.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

