

Journal of the House

SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 11, 2022, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

Prayer by Chaplain Brubaker:

Almighty God,
We come before You today,
acknowledging that You have given us this day.
May we not take it for granted,
but face its gifts and challenges
with Your help and grace.
As the schedule gets busier and more hectic
With each day,
Remind us often that, in the midst of the busyness, we are to
'be still and know that You are God.'
We are to cease from our own efforts
and allow You to be who You are –
the great "I am."
I pray for this stillness for each of our leaders.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Clayton.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2475, AN ACT concerning traffic regulations; relating to Kansas highway patrol spot inspections; prohibiting spot inspections of commercial motor vehicles on highways with a posted speed limit above 40 miles per hour unless certain conditions exist; amending K.S.A. 8-1759 and 66-1324 and repealing the existing sections, by Representative Collins.

HB 2476, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the silver star medal and bronze star medal distinctive license plates; amending K.S.A. 2021 Supp. 8-1,141 and 8-1,147 and repealing the existing sections, by Representatives T. Johnson, Ellis, French and Neelly.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources Budget: **HB 2456**.

Children and Seniors: **HB 2468, HB 2469**.

Corrections and Juvenile Justice: **HB 2455, HB 2465, HB 2471, HB 2472**.

Education: **HB 2466**.

Federal and State Affairs: **HB 2462**.

Health and Human Services: **HB 2459, HB 2460, HB 2463**.

Insurance and Pensions: **HB 2470**.

Judiciary: **HB 2473, HB 2474, HR 6019**.

K-12 Education Budget: **HB 2457**.

Taxation: **HB 2461, HB 2464, HB 2467**.

Transportation: **HB 2458**.

HB 2457 was incorrectly referred to Committee on Higher Education Budget in the January 11, 2022 House Calendar. The bill is correctly referred to Committee on K-12 Education Budget.

HB 2470 was incorrectly referred to Committee on Judiciary in the January 11, 2022 House Calendar. The bill is correctly referred to Committee on Insurance and Pensions.

COMMUNICATIONS FROM STATE OFFICERS

From Herman T. Jones, Colonel, Superintendent, Kansas Highway Patrol; pursuant to KSA 60-4117, KHP State Forfeiture Annual Legislative Report.

From: Laura Howard, Secretary, Kansas Department of Aging and Disability Services; pursuant to K.S.A. 59-29a11(e), Annual Report to the Governor and Legislature.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

MESSAGE FROM THE SENATE

Announcing adoption of **SR 1722**, a resolution relating to the organization of the 2022 Senate and the selection of the following officers:

Ty Masterson, President,
Rick Wilborn, Vice President,
Larry Alley, Majority Leader,
Dinah Sykes, Minority Leader,
Corey Carnahan, Secretary,
Don Cackler, Sergeant-at-Arms,

and awaits the pleasure of the House of Representatives.

Announcing adoption of **HCR 5020**, a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2022 session of the Legislature is duly organized and ready to receive communication.

Announcing adoption of **HCR 5021**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing messages

from the Governor and the Supreme Court.

The following escorts are appointed for the State of the State:

- To escort the Governor: Senators Gossage and Pettey
- To escort the Lt. Governor: Senators Erickson and Holland
- To escort the Supreme Court: Senators Warren and Corson

The following escorts are appointed for the State of the Judiciary:

- To escort the Supreme Court: Senators Warren and Haley

On motion of Rep. Hawkins, the House recessed until 1:15 p.m.

The House met pursuant to recess with Speaker Ryckman in the chair.

It being the hour in accordance with **HCR 5021** to meet in joint session with the Senate to hear the message of the Chief Justice, Reps. Arnberger, Concannon and Susan Ruiz escorted President Masterson and members of the Senate to seats in the House.

Reps. Ralph, Barker and Byers and Senators Warren and Haley escorted the Chief Justice to the rostrum and other members of the Supreme Court to seats in the House.

STATE OF THE JUDICIARY

January 11, 2022

Chief Justice Marla Luckert

Mr. Speaker; Mr. President; Governor Kelly; other elected officials; Legislators; honored guests, including my wonderfully supportive and very patient spouse—Ken Morse, my daughter and her husband, all of whom are in the East gallery; my judicial branch colleagues; and my fellow Kansans—Good afternoon.

Thank you, Speaker Ryckman for generously offering me this chance to update this special joint session of the Legislature on the State of the Kansas judiciary. And thank you President Masterson for agreeing to the scheduling.

On behalf of my colleagues on the Supreme Court and throughout the judicial branch, I am honored to highlight a few of the judiciary's accomplishments during 2021. It was another unprecedented year marked by disruption of processes and tremendous uncertainty brought on by a worldwide pandemic.

During my video report to you last year, I noted the spirit of perseverance shown by judicial employees and judges. 2021 required these same individuals to be incredibly resilient.

In 2021, the vaccine rollout, coupled with declining new COVID case numbers, contributed to the feeling that we were about to cross the pandemic finish line. But new variants and the waxing and waning nature of the virus required the judicial branch to repeatedly adapt to the continually changing conditions.

Sadly, as in 2020, the judicial branch suffered losses, through death and disability, of co-workers and loved ones to COVID. I want to offer a special tribute to the employees we lost, their loved ones, and those who felt the pain of losing a co-worker. Despite the heavy toll, a resilient spirit came through.

Kansans have long shown resiliency when faced with hardship. The dust storms we experienced across the State about a month ago reminded us of the Dust Bowl of the 1930s, another period that tested Kansans' collective resilient spirit.

As a fourth generation Western Kansan, I grew up hearing stories of the dust storms that disrupted everyday life as dirt covered everything, making drifts as deep as would the snow of a different season. One-room schools dotted the Kansas landscape, and my parents spent many nights in their schools as they took shelter from the howling wind and blinding dust. They told stories of neighbors coming together to improve the shelter of the schoolhouses and of families who contributed food to the school, even though those families struggled to put food on their own tables.

The rains finally came, and Kansas farmers adopted new agricultural practices to temper the effects of the extreme storms. With time, these practices evolved into precision agriculture that relies heavily on technology.

Much as the Dust Bowl was a turning point for Kansas farmers, the pandemic became a turning point for Kansas courts. Over the past two years, the employees and judges of the Kansas judicial branch dug deep and found that same spirit of perseverance, resiliency, innovation, and adaptability. And, just as in the '30s, when neighbors came together to help each other and their schools, Kansas judicial branch employees forged ahead and improved the shelter courts provide.

I am very proud and grateful for the extraordinary work and heavy lifting done by our judges, staff, and justice partners this last year. Today, I want to highlight a few ways we transformed our processes and innovated.

Before doing so, I want to thank you for your efforts last session on behalf of the judicial branch. When I reported to you that the Kansas Supreme Court had been forced to impose a crippling hiring freeze because of a pandemic-related drop in revenue, you responded by filling that gap.

You also recognized we would need to fill our open positions with qualified individuals able to handle the courts' sensitive and technical duties. Because the work of courts affects public safety and the lives of Kansans, we partnered with you to overcome a long-term problem. For more than a decade, stagnant and under-market pay had plagued the judicial branch by hindering our ability to attract and retain employees. You responded to the need by committing to bring the pay of every employee position to last year's market rate by July 1, 2022.

To say the enhancement had a profound impact is an understatement. Your commitment made employees feel valued. And, in turn, morale improved, and resiliency grew. More tangible evidence of improvement exists as well. Since the start of fiscal year 2022, court administrators across the state have reported seeing improved qualifications in the candidates for many staff positions. They attribute that improvement to our market-competitive salaries.

We are also grateful for your commitment to increase judicial pay by five percent in both fiscal years 2022 and 2023. This increase softened the blow of cost-of-living increases.

And we thank you for the new court service officers you funded after we presented data showing we lacked sufficient staff to perform even fundamental, statutory duties you had imposed.

With these appropriations, you helped spark transformative change. The need for change may have never been greater given what we faced last year. The pandemic propelled public expectations that we would provide online services.

The Kansas judicial branch responded to court user needs and expectations by increasing online access to services and court hearings. We aggressively pursued grant opportunities and leveraged those funds to develop the technology necessary to modernize our court operations.

As one example of our newly developed technology, we are piloting an app that asks questions about a traffic citation and generates a “traffic pass” that instructs how to resolve the citation based on the answers provided. Given the success of our pilot, we hope to soon expand use of this app in other parts of the state.

Another innovation in on-line access is a web portal that allows Kansans to apply for protection from abuse orders. Within six months of statewide use, half of all protection orders are being filed through the portal. These applicants usually lack help from an attorney. And, because of their circumstances, they often find it difficult—or even unsafe—to come to the courthouse. The portal eases those burdens.

A popular, third web-based innovation allows couples to apply online for marriage licenses.

Kansas is a frontrunner in launching these technologies and is now presenting and sharing our experiences nationally as we help other states develop similar apps and portals.

We also used grant funding to acquire hardware and software for increased use of remote conferencing technology. Our clerks, court service officers, self-represented help centers, and interpreters have widely used remote conferencing technologies to help Kansans. Having found demand and success, they will continue to do so in the future.

And remote hearings became a valuable tool in every court's toolbox. District courts conducted all types of hearings remotely, unless constrained from doing so by constitutional protections. And our appellate courts quickly pivoted to conducting arguments remotely.

Many litigants and attorneys now ask for a remote hearing. Online hearings have allowed many Kansans to attend court without needing to take a day off work. This, in turn, benefits our business community. And we have found that judicious use of this technology can ease access and lower costs, which often improves due process and procedural fairness.

But remote hearings do not fit well for some proceedings and some circumstances. So Kansas courts also developed methods to protect the health of court users during in-

person court proceedings.

Jury trials presented our biggest obstacle because they require bringing large groups of people together—people often reluctant to be in a large crowd. During the summer of 2020 we allowed jury trials when necessary to protect constitutional speedy trial rights. But we paused all others until a task force developed guidelines and courts worked with local health agencies to adapt those to their courthouses. Jury trials resumed in the late summer of 2020, meaning they were an available tool for courts during most of fiscal year 2021.

In sum, courts worked hard to keep cases moving forward. For example, statewide, courts resolved more than 31,000 criminal cases in fiscal year 2021.

Kansas courts, even though challenged with the need to remake our procedures, also did not lose sight of our goal to continually improve our justice system. I will not orally report on all the many powerful and transformative initiatives we have undertaken. I am electronically distributing to each of you a written report that will provide more information and detail about the state of the judiciary. But I will highlight a few of our initiatives.

The legislative and executive branches agreed to collaborate with us to plan a mental health summit that we previewed in a webinar last fall. The Summit itself will be April 13 and 14 of this year. Speaker Ryckman, President Masterson, Governor Kelly, and I will jointly welcome all attendees. Community leaders, behavioral health professionals, law enforcement, first responders, faith-based leaders, and others will attend and discuss how our courts, communities, and state can improve our response to individuals with behavioral health issues who become involved with the judicial system. I want to express gratitude and applaud the efforts of two of your colleagues: Representative Brenda Landwehr and Senator Pat Pettey have been instrumental in planning the summit.

In another interbranch collaborative project, we worked with the Kansas Department for Children and Families and the Kansas Strong for Children and Families grant project to develop a tracking tool designed to reduce time to adoption.

These are but two examples of the ways the court system has and will continue to join with the legislative and the executive branches on efforts to protect our most vulnerable Kansans.

On another front, to address the large problem of housing instability confronting our communities, we recently formed a committee that is working to improve processing of landlord-tenant disputes and to develop self-help resources for landlords and tenants. The committee's work will aid Kansas entrepreneurs, our neighbors, and our communities.

We also worked to support specialty courts. For those who may not be familiar with those courts, they focus on addressing the reasons for criminal behavior—such as behavioral health or substance abuse issues. Successfully completing specialty court is hard work, much harder than regular probation. A defendant must undertake sets of rigorous sessions designed to break hard-wired behavior. These courts' success rates in reducing recidivism are impressive. And they save Kansas money, costing a small

fraction compared to incarceration.

To assist our efforts, we formed a committee to spearhead initiatives to support existing specialty courts and to help start new ones.

Also, early in 2021 the judicial branch completed a four-part webinar series on how to establish and operate specialty courts that provide supervision, mentoring, and treatment for veterans, usually with the support of the Veterans Administration.

We join you in supporting your criminal justice reform commission's specialty courts bill.

Outside the criminal arena, we have worked diligently to increase access to justice by developing more forms, with accompanying information, to help unrepresented litigants navigate legal filings. We have also increased support for self-help centers in our courthouses where individuals can access these forms and other information and can often find limited assistance from a volunteer attorney or Kansas Legal Services. And we made rule changes designed to increase access to assistance from an attorney at no- or low-costs.

During 2021, we have also sought to improve administrative efficiency and our stewardship of taxpayer resources. A key component of this effort is the continued rollout of our new case management system.

This rollout slowed during the pandemic. But we worked with our vendor to improve the system and the rollout process as we remained focused on ensuring smooth transitions to the new system. To date, 26 counties are using the new case management system, and more are scheduled to go live on June 6.

As courts join the system, they also move to a centralized payment system to process their district's portion of the millions of dollars Kansas courts collect for the benefit of state government.

Recently, we added a court service officer module to the case management system. This module will allow for enhanced client supervision and data collection.

We are proud of the progress we made on these efforts to improve the judicial system and better serve our communities despite the challenges presented in 2021.

As we look to 2022 and beyond, we ask for your budget help in three ways. First, we propose eliminating the judicial branch's dependence on volatile and unpredictable fee funding. Because most of our state budget funds our workforce, any budget shortfall falls on the shoulders of Kansans as we are unable to staff critical positions across the state. We request that the fees that now fund the judicial branch be redirected to the state general fund and that the judicial branch receive an amount equal in return. By redirecting certain fees from the judicial branch to the state general fund, the overall state budget would in most years achieve a net neutral exchange or even a positive gain for the state general fund, assuming past trends continue. Granted, in some years—like fiscal years 2020 and 2021—fee fund receipts may fall below projections. This occasional downward trend can be better absorbed in a fund the size of the state general fund than in the much smaller judicial branch budget, which constitutes less than one percent of the all-funds budget.

Second, we request funding for 13 new district judge positions, along with support staff, and 10 new district magistrate judge positions. A recently conducted weighted caseload study showed the need for these positions and more. New judge positions have not been added since 2008. Currently, workloads in some parts of the state far exceed judicial capacity and the need for more judges and staff is great.

Third, we ask that you continue your commitment to maintaining judicial branch employees at market wages by implementing the second year of the pay increases and by including the judicial branch in any cost of living increases you adopt.

While our budget requests this year do not ask for other salary increases, I want to alert you to challenges we continue to face at the two ends of our salary spectrum. On one end, we have had trouble filling our lowest paid trial court clerk positions. We must compete with rapidly increasing salaries that businesses across the economy are offering these entry level workers.

At the other end of our pay spectrum, we've also had trouble attracting judicial candidates. One recent magistrate judge opening in Dickinson County attracted no applicants, and another farther west had only one applicant by the initial deadline. Statewide, the number of applicants for all judicial openings has plunged and included few, if any, attorneys from the private sector. What this translates to is a pool of judicial applicants with little or no experience in complex civil litigation that, for example, our businesses often use to protect their interests and enforce their contracts.

We deeply appreciate your commitment to provide two years of salary increases for judges. But compensation for these highly responsible positions lags far behind the legal market. As of July 1, 2021, with the first 5 percent increase you approved last session in effect, our neighboring states paid their trial judges, on average, over \$30,000 more per year than Kansas. And within Kansas, the pay for our judge positions still does not compete with what many attorneys command in the private or public sectors, especially the experienced attorneys Kansans hope to attract to the bench.

I look forward to continued collaboration to increase the pay of our entry level clerks and to increase judicial pay so it aligns with the high level of responsibility the position requires.

I will end where I began by expressing gratitude for the support received last year for our resilient staff. Those in the judicial branch are thankful to have legislative leaders and a governor who understand what happens in our courts and who understand that courts protect and strengthen Kansans, their businesses, and their communities. We are grateful that you share our vision and commitment to solving the problems that bring people to court. And we appreciate your working with us in the spirit of mutual respect. As leaders dedicated to upholding our constitution you recognized the importance of having courts with the resources to fairly and impartially resolve the over 300,000 cases a year that impact the lives of your constituents.

The Kansas court system still faces many challenges. But with the resiliency demonstrated by our families in the 1930s, and, more recently, by the employees and judges of the Kansas judicial system, we will continue to respond with creative solutions to ensure our courts operate at the level Kansans have come to expect. Just as Kansas farmers adopted new practices in reaction to the Dust Bowl and emerged

stronger and better, the pandemic pushed the Kansas judicial branch to use new practices and technology that make it stronger and better.

We look forward to continuing to partner with our colleagues in the executive and legislative branches as we enter a new year in which we will work toward our joint goal of improving access to justice.

May all of you and our great state continue to be blessed. Thank you.

On motion of Rep. Hawkins, the House recessed until 6:00 p.m.

The House met pursuant to recess with Speaker Ryckman in the chair.

It being the hour in accordance with **HCR 5021** to meet in joint session with the Senate to hear the message of the Governor, Reps. Owens, Landwehr and Amyx escorted President Masterson and members of the Senate to seats in the House.

Reps. Finch, Patton and Ballard and Senators Warren and Corson escorted the Supreme Court to seats in the House.

Reps. Tarwater, Williams and Woodard and Senators Erickson and Holland escorted the Lt. Governor to a seat in the House.

Reps. Hoheisel, Hawkins and Ohaebosim and Senators Gossage and Pettey escorted the Governor to the rostrum.

GOVERNOR KELLY'S COMPLETE TEXT OF THE STATE OF THE STATE

Mr. Speaker, Mr. President, Madam Chief Justice, Lt. Governor Toland, statewide elected officials, members of the Legislature, Cabinet officers, leaders of the Kansas tribes, honored guests, and fellow Kansans.

After two years of challenges, of limited gatherings, it is my high honor to stand before you once again this evening to deliver my fourth State of the State Address.

To report on our shared successes.

And to present a blueprint for the final year of my first term.

Joining me tonight in the east gallery is the third "First Gentleman" in Kansas history, my husband, Ted Daughety.

Ted has retired from practicing medicine.

But he returned during the pandemic to support our state's many dedicated healthcare professionals as they toiled to keep Kansans safe and healthy.

I'd also like to welcome my daughter Kathleen Daughety and my son-in-law Mathias Weiden. And I welcome, virtually, my other daughter Molly Daughety, who is watching online.

I also welcome and thank my Cabinet Secretaries who are seated behind me in the west gallery.

The COVID-19 pandemic brought challenges for every agency - and I could not have asked for a better, more prepared team.

They have not only faced those challenges head on, but each of them has steered their agency to be more fiscally responsible, more nimble, more efficient and more responsive than ever before.

And finally, it is my pleasure to welcome Lt. Governor David Toland and Second Lady Beth Toland, to their first State of the State in their new capacities.

David took the reins as Lt. Governor last January after I appointed our former Lt. Governor, Lynn Rogers, to serve as our State Treasurer.

Lynn is a compassionate, hard-working, and dedicated public servant ---- and he has been a fantastic Treasurer. Lynn has already returned more than \$5 million dollars of unclaimed property to the rightful owners.

Thank you, Lynn, for your leadership and your continued service.

For the past three years, Lieutenant Governor Toland has worked tirelessly as the Secretary of the Department of Commerce.

He has spearheaded efforts to help small businesses weather the pandemic. He has rebuilt Commerce programs to - once again - make Kansas nationally and globally competitive.

I'm fortunate to have him by my side, as we continue to put his economic development expertise to good use for Kansans and Kansas communities.

Thank you, Lieutenant Governor.

It's not just the Lt. Governor and my Executive Cabinet who have gone above and beyond during the pandemic.

All of you seated here are serving during a uniquely challenging moment in our state's history.

And the work you're putting in, the collaboration, is helping Kansas turn the corner, paving the way for a more prosperous future for all who choose to call this place home.

Needless to say, it has been an arduous couple of years for Kansas and the nation.

We've lost loved ones, coworkers, friends, and neighbors.

Unfortunately, we continue to lose too many Kansans to this virus.

But we also saw, and we continue to see, the very best of Kansas rise up in every corner of our state.

Our health care professionals have persevered, working long, hard hours, for weeks, then months, now years, to save lives. They continue to be our heroes.

Here with us tonight is one of our heroes: Whitney Freel, a charge nurse on the medical intensive care unit at Stormont Vail Hospital right here in Topeka.

Whitney, could you please stand for a moment.

Whitney and her fellow front-line workers have risked their own lives for nearly two years, working around the clock to keep Kansans safe.

Please know how grateful I am, how grateful Kansas is, for your dedicated service.

In every corner of our state, ordinary people continue to do extraordinary things.

The Kansas spirit of neighbor-helping-neighbor has never been stronger.

The people of Kansas are getting back on their feet. The state of Kansas is getting back on track.

However, right now, and likely for the next few months, the threat of COVID-19

remains, particularly for the unvaccinated and the immuno-compromised.

While the long-term outlook is much more positive with the new Omicron variant, our hospitals and nursing homes have sounded the alarm.

Rising case numbers from the winter holidays and Omicron have created the toughest surge the medical community has faced since the pandemic began in 2020.

Last week, I issued two new executive orders that create staffing flexibility to keep residents, patients, and staff safe.

It will be imperative that we work together to quickly extend my orders through legislation to help our nursing homes and our hospitals.

For those of you watching at home, I ask that all of you think of your family, your friends, and our front-line health care workers.

Help each other by getting vaccinated, getting your children vaccinated, and getting the third shot.

This is how you keep yourself - and those around you - healthy.

We owe it to each other.

Folks, we are going to get through this.

Since we began the fight against this pandemic, we've taken a clear-eyed, balanced approach - acting responsibly to stop the spread of the virus, while also ensuring that our Kansas economy grows and stays strong.

And because we managed our budget responsibly and saw record economic growth and investment in our state, I'm now proud to say we have the largest budget surplus in the past 40 years.

That's the largest surplus in 40 years all while balancing the budget and fully funding our schools.

Whereas, just a few years ago, Kansas was making headlines for its budget mismanagement - I believe Kansas is now the most fiscally responsible state in the nation.

We've paid down state debts.

And we're adding \$600 million dollars to the state's Rainy Day fund, the most money that's ever been put in there.

Growing the Rainy Day Fund is the responsible thing to do.

To make sure critical services like schools and law enforcement are always funded even if our economy takes a turn for the worse.

Because we've managed the budget so responsibly, I was proud to announce that every working Kansan who filed taxes in 2021 will get a \$250 dollar rebate this year - \$500 dollars for married couples filing jointly.

That's money back in your pocket to pay for child care, to take your family on a mini-vacation, or to buy groceries.

While we're on the topic of groceries....

Here's something we all know: Food in Kansas costs families way too much.

And even as we sit here with a record surplus, Kansans continue to pay higher taxes on groceries than anyone in the country.

It makes no sense.

For years, many of us, on both sides of the aisle, have been calling for an end to the

state's sales tax on food.

Now, with this surplus in the bank and increased revenue because of our economic growth, we can finally, responsibly, afford to totally eliminate the grocery sales tax.

I've called on the legislature to send a bill to my desk to end this tax, once and for all.

It will save Kansas families hundreds, perhaps thousands, of dollars a year.

This is a commonsense policy on which Democrats and Republicans can completely agree.

The only obstacle that could block this legislation is the same type of toxic political games that have poisoned Washington D.C. where denying a political opponent a win has become more important than getting things done for the people they represent.

We are better than that in Kansas.

Let's not overcomplicate this.

The essence of the bill can be summed up in 13 words:

We hereby eliminate the state sales tax on food in Kansas, effective immediately.

Just 13 words.

Send me a clean, bi-partisan bill, that eliminates the state sales tax on food by Kansas Day, January 29th.

I'll sign it the moment it hits my desk.

We must not delay. Every day we delay costs Kansas families money, each and every day.

It will be a win for every one of you in this room. And, much more importantly, a win for working Kansans.

And, we know working families need a break, particularly, after the last two years.

This pandemic has created so many strains, so many stressors, and so many challenges, we simply cannot let it derail the careers or the dreams of our young people.

That's why we have remained laser-focused - to protect their futures.

That meant upholding my promise to bring fiscal sanity back to our state government.

It wasn't easy, and not a day has gone by that I haven't been tasked with making tough financial decisions.

But our resolve to keep the state checkbook balanced is paying off in a big way.

Today I'm announcing that my budget includes a total freeze on college tuition increases.

You heard that right. No tuition increases whatsoever.

This virus took something from our students. And, we are going to give them something back.

Again, it's a huge win for our young people and for all working Kansans.

These are the types of things we can do when our state's economy is growing the way it is.

And it is economic growth we should all be proud of.

Look at where we are...

We've created more than 30,000 new jobs. That's 30,000 - even during a pandemic.

Our unemployment rate has been below 4 percent for over a year.

And in 2021 alone, the private sector invested nearly \$3.8 billion dollars in new facilities and equipment.

That's a new state record. By a long shot.

That means: new businesses coming to our state.

Existing businesses expanding.

Big companies opening new divisions.

Small businesses hiring new employees.

It means jobs for Kansans living in our cities.

And in our suburbs. And in our rural communities.

Our small businesses are growing.

Our big companies are hiring hundreds of new employees and expanding, like Hilmar Cheese in Dodge City, Superior Boiler in Hutchinson and the Schwan's Pizza Plant in Salina.

And big national companies, like Urban Outfitters, are choosing to build distribution centers here - because we have a strong economy and the best workforce in the nation.

Listen to this...

Over the past three years, we have secured a total of more than \$7.6 billion dollars in new business investments in Kansas.

That's more than any previous administration's total in the entirety of their first term - and we still have another year left.

Remember several years back, Kansas was in the national news for all the wrong reasons.

Well, in 2019, we were back in the national news - but this time as CNBC's Comeback State of the Year.

And in 2021, Kansas was recognized with the prestigious Gold Shovel Award - a national award given to Governors who lead the way in attracting job-creating investments to their states.

There's more economic opportunity in the state of Kansas today than at any time in our history.

And Kansans should really take pride in the role they have played in helping our state and, all of the nation, successfully navigate through this pandemic.

Everyone here knows this: Kansas processes 25% of the nation's highest quality beef.

If our meatpacking plants had shut down during the pandemic, it would've created a food crisis for our entire country.

We really couldn't let that happen.

So, during those first days and weeks of the pandemic, I partnered with then-Senator, Pat Roberts, who was chair of the senate ag committee. Together, Senator Roberts and I worked with President Trump to make sure our meat-packing plants stayed open, safely.

It wasn't about political party, it was about keeping Kansans who feed our nation, and the world, on the job.

As a result, Kansas was the only state in the nation to keep our major meatpacking plants open during the entirety of the pandemic.

I'd like to thank our federal delegation, particularly Representative Sharice Davids and former Senator Pat Roberts, for their hard work in making that happen.

After all, we know that the agriculture industry is the lifeblood of our economy. And farmers are truly the heartbeat of our state.

Right now, our hearts go out to the Kansas farmers and ranchers who have lost their livestock, their crops, and even, in some cases, their own homes to wildfires.

I want you to know we're doing everything in our power to provide relief to restore your livestock, and rebuild your farms, your ranches, and your lives.

With us here tonight is Russell County Emergency Manager Keith Haberer.

Keith, could you please stand for a moment.

Keith has been a firefighter and an emergency manager in Russell for more than 20 years.

During the recent wildfires, I witnessed how hard Keith worked to help the people in his community stay safe.

For weeks he's been working nonstop. He coordinated the county's response to the raging fires and delivered resources to the families, farmers and ranchers who were impacted by the devastation.

He is one of the thousands of first responders all across the state: our firefighters, our law enforcement, our national guard, and our EMTs, who step up when a crisis hits.

Thank you Keith, for your service to your neighbors and to your community.

Our farming and ranching families are lucky to have men and women like Keith, who stand ready to provide support when times are tough.

This administration is equally committed to supporting our agriculture industry.

Whether it is through:

Being the only Democratic Governor in the country to support the USMCA trade agreement;

Responding to COVID-related challenges;

Or adding Short Line rail projects to move product to market more cost effectively, more efficiently.

But still, we know that farming isn't getting any easier – particularly with the natural disasters and global supply chain challenges.

But we also know, our farmers and ranchers are the most resilient people on earth.

As I travel across Kansas, the stories I hear are so inspiring.

Farmers like Vance and Louise Ehmke, owners of Ehmke Seed in Lane County.

They took over the family farm in the mid '70s, as the fourth generation of Ehmkes to operate it.

Now Louise is a Democrat from California, and Vance is a Republican from right here in Kansas. The two met while students at Bethany College in Lindsborg.

Recently, the Ehmkes celebrated 50 years of a happy, bi-partisan, marriage.

And they're with us tonight. I'd like to have Louise and Vance, representing all Kansas farmers and ranchers, please stand to be recognized.

You know, Louise and Vance are still out there each morning with their fellow farmers and ranchers, rain or shine, snow or sleet.

That toughness, that grit, that sense of pride, so often passed from one generation to the next that's what makes Kansas farmers so special.

Now, looking ahead, I'm excited to share with you that my budget this year also restores full funding to the State Water Plan for the first time in 15 years.

The water plan is a five-year blueprint for action that will ensure that we have a reliable, quality water supply to support not only the needs of Kansas communities, but a thriving farming economy.

Because everyone in this room knows, as I do, that agriculture built the Kansas economy, and it will always be the backbone of our state.

And, despite all of the obstacles that our farmers and ranchers have faced, and thanks to their unrivaled persistence, Kansas is on its way to another record year of agricultural exports.

In fact, we'll surpass the \$4 billion-dollar mark in exports for the second consecutive year.

A feat not accomplished in nearly a decade.

Four billion dollars. That's a big deal.

Growing our rural economy has been a major focus of my Administration.

Our efforts to rebuild our rural economy began day one when we established the Office of Rural Prosperity.

We then moved expeditiously to re-start the Kansas Mainstreet program - to help our rural communities keep their downtowns vibrant.

We cherish our Main Streets - as the heart of our communities, the cultural centers of our communities, and as their economic engines.

And, if we've learned anything these past couple of years about doing business in this day and age, it's that if you don't have access to high-speed Internet – you are going to get left behind.

When I got into office, Kansas was way behind the eight ball on broadband development.

The state had no roadmap, no funding, and no plan.

So, we established the Office of Broadband Development, and now, we have expanded internet access to over 50,000 new households and businesses. We've connected rural communities that were frustrated for years by the lack of access.

During the pandemic, hotspots were strategically deployed to ensure that our students in low-income households could continue their education remotely.

We won't stop until every Kansan who wants, or needs, high-speed Internet has access to it.

For as much as rural Kansas - all of Kansas for that matter - needs a strong information superhighway, they also need better actual highways.

The type you drive on to get your product to market, to get to work, or get your kids to school.

Sadly, for the past 10 years, politicians have taken money that was supposed to go for roads and bridges and instead used it to clean up the mess created by the tax experiment.

The highway fund became known as: "the Bank of K-DOT."

Well, it's not a bank. It's been a slush fund.

And this year the slush fund goes away, and the "bank" closes for good.

We'll make sure that money meant for roads and bridges is actually used for roads and bridges.

We have already completed numerous projects across Kansas, and many others are in the pipeline.

They are important projects like:

The widening of U.S. 69 from a two-lane to a four-lane expressway in Crawford and Bourbon Counties.

This project completes the much-needed, long-overdue, 4-lane highway from Kansas City to Pittsburg. A promise made years ago, and, now, finally kept.

Late last year, we announced design modifications in Johnson County for K-10 that will improve a stretch of highway serving 65,000 drivers per day.

In Wichita - the state has partnered, for several years with the city, the County, and the federal government to finish the \$86 million North Junction project.

When completed, it will, finally, alleviate Wichita's worst bottleneck. Every member of the Sedgwick County delegation sitting here tonight knows exactly what I'm talking about.

Now new road projects like North Junction don't always create splashy headlines.

But they do make communities safer.

They do create jobs.

They do stimulate economic activity.

And, they change the very quality of life for residents who rely on these roads every day.

While we're on the subject of improving quality of life for the people of Kansas, we cannot forget about our health care systems and our hospitals.

For years, we've debated Medicaid expansion. round and round.

Folks, Medicaid expansion is the quickest, the easiest, and the most common sense way to help Kansans.

And we're not just talking about 150,000 Kansans accessing quality, affordable health care.

The fact is, communities can't grow or survive if their hospitals close.

Kansas has lost five hospitals in recent years.

We can't afford to lose another.

We owe it to our rural families and businesses.

Medicaid expansion won't just protect small towns and their residents, it will keep health care professionals from moving to neighboring states - most of which are Red states - all of which have expanded Medicaid.

Right now, we're the stubborn, self-defeating, state in the middle of all of them, we are sabotaging our rural communities and their efforts to recruit new jobs and residents.

We are shooting ourselves in the foot.

Medicaid expansion is something we can do right now.

It is well past time. Let's get this done.

A strong health care system will always be a hallmark of a healthy state and a healthy economy.

Just as important, however, is the strength of our public education system.

Four years ago, when I ran for office, I ran to be the Education Governor.

After years of budget cuts and neglect, Kansas needed one.

And, now, I am proud to say, that for the Fourth straight year: we are fully funding our public schools.

And, we are doing it with a balanced budget.

Because it's not an either-or.

We can balance the budget while also funding our schools, fixing our roads and bridges, funding other essential services, investing in economic development.

The full funding of our schools is something everyone in this Chamber can celebrate.

But, I also know that, for these past couple of years, during the pandemic, the challenges facing our schools have gone way beyond just funding.

Last year, in my State of the State, I spoke directly to teachers - who - nearly overnight - reinvented the way they taught, doing whatever it took to educate our children during the pandemic's worst days.

We've worked hard to get everyone back in the classroom, but the job of a teacher hasn't gotten any easier. If anything, it's more difficult and more stressful.

Teachers have always deserved our deepest gratitude, our respect, and our support.

To all the Kansas teachers out there, we thank you. We applaud you.

This year, I'd also like to take a moment to speak directly to Kansas parents. Especially those with school-aged children.

You have been through a lot these past couple of years. A whole lot.

Now I have two daughters, both well out of the house - thank goodness - but I often think about what it would have been like if they were still young and had been at home during the pandemic.

I know it would have been incredibly hard to balance their education and my job.

It would have been hard dealing with their losses not being able to hang out with their friends, not going to birthday parties, not participating in graduation ceremonies.

And with this virus, particularly because it has gone on for so long, sometimes, you feel like there's no right answer.

When all you really want is to do right by your children, to have a voice, to have a say, in the decisions that impact their lives.

I want you to know that I've heard you. I have approached decisions I've made not only as a Governor, but also as a parent.

I know, with all the ways this virus has changed and keeps changing our lives it can be difficult to keep up.

This has been uncharted territory.

This pandemic has deprived our kids of a normal childhood for far too long.

That's why our Department of Wildlife and Parks, together with our Tourism Division, partnered with the State Department of Education to launch the Kansas Sunflower Summer program.

This program provided kids and their families the opportunity to visit all of our state's first-class attractions: our museums, our parks, our zoos: free of charge.

In total, more than 70,000 Kansans participated in the program. Sunflower Summer was so successful that we have every intention, to not only do it again next summer – but also to expand it.

Our schools are now open and they will stay open, but the Sunflower Summer program helped make this uneasy time a little more manageable, a little more affordable, and a little more normal.

Back in the classrooms, we also know our kids are feeling the lingering effects of the pandemic.

Not every parent has the means to help their children get the attention or the tools they need to fill the learning gaps created by the pandemic.

Just yesterday, we announced a bipartisan agreement to allocate \$50 million dollars in Learning Recovery Grants for students who need that extra help to get caught up.

These grants will give parents the ability to sign their kids up for counseling, tutoring, summer camps, whatever their child needs to close the learning gap.

We can't turn back the clock on the last two years, but we can lay out the path to support parents and put students in the best position to find success.

Another thing on the minds of parents these days is not having to worry about their child's safety.

I know I'm speaking for parents when I say that the world is a whole lot bigger and much more complicated than when we were growing up.

We sense it as leaders as well, and I've made protecting children and keeping them safe a top priority as Governor.

That starts by supporting our law enforcement officers.

My budget contains historic levels of funding for law enforcement.

Funding that will provide better equipment, better training facilities, and greater public safety.

And for our state highway patrol - a much deserved pay-increase.

We're also increasing funding for evidence-based juvenile delinquency programs, so we can reach these kids before it's too late and keep them out of the system.

There's no question that as the world has changed, it has become harder to be a kid.

From social media pressures, to life during a pandemic, growing up in 2022 is a lot more complicated, and difficult.

Imagine, dealing with all that they have to deal with - and what's happened over the last 2 years - while also being a child in foster care.

When I took office, our foster care system was a mess.

It was an embarrassment, it was immoral and it did not reflect how Kansans value and cherish their children.

It wasn't going to be easy.

But I knew if we were going to create real accountability, that we would have to pull the curtain back and do a full, honest assessment of our foster care system and make the necessary and critical changes, to protect our kids.

And after three years, we have made significant progress.

We have decreased the number of children in foster care by over 15 percent. That's one thousand fewer kids in the system.

That progress started with the tireless work done by Secretary Laura Howard and her team at the Department for Children and Families.

They studied the mistakes of the past and they took an intentional approach, to move the state away from a child welfare system and toward a child and family well-being system.

Secretary Howard directed the agency to focus on things like kinship care, where a child is placed with a family member or a very close family friend, instead of being placed in the system.

Kansas was also one of the first states in the nation to implement the Family First Prevention Services Act.

This program provides support services for struggling parents to increase their ability to care for their own children, in their own home, rather than in the foster care system.

Just last year, I signed an executive order creating the Division of Child Advocate.

The Child Advocate will ensure that the progress we have made is not fleeting or subject to political manipulation.

The advocate will ensure an independent, accountable system to investigate complaints, to help families navigate a very complex system, and act as a data-resource for further improvement of the system.

Most importantly, the child advocate will make sure kids in our care are healthier and safer.

The Division of Child Advocate has been a deeply bipartisan effort and would not have been possible without the support and input of legislators and stakeholders on both sides of the aisle.

I know some of you here have spent years working to get this issue over the finish line, and I'm grateful for your efforts.

Likewise, an area where we should be able to find common ground is our state's mental health system.

Whether we talk about children or their parents, veterans or farmers, small business owners or health care workers, this pandemic has exacerbated mental health challenges for so many Kansans.

That's why I've included additional funding in my budget, to make it easier for local communities to provide critical mental health services closer to home, and reduce the strain on our law enforcement agencies, our jails and our hospital emergency rooms.

It will save lives and it will protect our communities.

I know many of you care deeply about this issue, and I look forward to working with you to create a mental health system in Kansas that is second to none.

Speaking about second to none, as you all know, just last month, we lost our proudest native son, Bob Dole.

Senator Dole was a passionate voice for Kansas. He was also a passionate voice for an entire generation, the greatest generation.

In fact, it's because of people like Bob Dole that the greatest generation got its name.

Senator Dole once told us: “In politics, honorable compromise is no sin. It is what protects us from absolutism and intolerance.”

Senator Dole also said: “When it's all over, it's not about who you were, it's about whether you made a difference.”

These are words we should all keep close to our hearts.

Whether you made a difference.

Now, if you only looked at social media, you'd think nothing gets done around here, at all ... just a bunch of bickering.

But the truth is - that's not the case.

Thanks to the good work of the people in this Chamber, I have signed 187 bipartisan bills.

Let's look at the list:

- A bi-partisan bill to fully fund our public schools.
- A bi-partisan transportation plan, which will lead to 130 new infrastructure projects.
- A bi-partisan scholarship program for our students in high-demand, high-skilled fields.
- A bi-partisan bill that extends the tax credit program that helps Kansas start-ups succeed.
- A bi-partisan bill to support our military families and encourage them to stay in Kansas.
- A bi-partisan emergency loan program to help families and businesses pay their utility bills when they skyrocketed last February.

The list goes on and on.

When we think back several years, and reflect on why things in Kansas went so far in the wrong direction, it's because we weren't prioritizing what Kansans want and what they need.

Kansans want their government to focus on the day-to-day needs that most of us can agree on - and not on the ideological issues, or the culture wars, that divide us.

That means they want:

New businesses that bring good jobs.

Strong public schools.

Roads that don't wreck their cars.

Safe communities.

Access to basic health care.

A balanced budget.

And when possible, and when responsible, tax relief to help working families.

When I talk to Kansans from all political parties in all corners of the state, the most common theme I hear is: “I am so sick and tired of all the political fighting.”

And usually, they're not talking about the people in this building.

They're talking about in their own lives.

And the feeling that politics now dominates everything.

The friendships that are being torn apart.

Social media feeds you're afraid to look at anymore.
Family members you can barely talk to.
Politics rearing its ugly head in our children's schools.
I'm sure all of you in this room can think of people in your lives who, just a few years ago, you could have a civil conversation and talk about the issues of the day - and now, you really can't.
It's all become so toxic.
Now the people in this Chamber didn't cause this problem. Much bigger forces are at play.
But the people in this Chamber can be part of the solution.
We can turn down the temperature.
We can be civil and compromise.
We can be role models for our children.
We can put allegiance to Kansans ahead of allegiance to political party.
We can be as good and as decent as the people who sent us here.
Now, some of you may know that I am a baseball fan.
And one of the great joys of my life was spending a day, 20-some years ago, with the great Buck O'Neil, at the Negro League Museum.
Buck was an iconic player for the Kansas City Monarchs, but his larger contributions to baseball and to this country came in his later years, when he led the campaign to establish the Negro League Museum.
He did it to make sure we never forget those players, the injustices they faced, and their rightful place in history.
Buck passed away about fifteen years ago, at the age 94.
Just a few weeks ago, we learned that Buck was, posthumously, voted into the National Baseball Hall of Fame to, finally, be honored alongside the game's very best.
Long overdue in my opinion, and it's a shame he wasn't alive to see it.
But Buck was an eternal optimist, even toward the end of a life that had had so many hardships.
One of Buck's more delightful sayings was:
"Hold hands with the person next to you. That way, they can't get away. And neither can you."
So, let us all hold hands these next few months.
And not let go until we finally get things done.
God bless our great and beloved state of Kansas.
Thank you and goodnight.

On motion of Rep. Hawkins, the House adjourned pro forma until 11:00 a.m. on Wednesday, January 12, 2022.

JENNY HAUGH, JULIA WERNER, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

