

Journal of the Senate

FIFTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 31, 2021, 9:30 a.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Silent Prayers That Are Heard!
Psalm 94:11, Matthew 6:6, Psalm 94:9

Lord of Heaven, I am grateful that the wisdom of the ages has set this time aside for prayer. For in prayer, we want to cry out to You. And in prayer, we want to hear from You. So, as we come to You in prayer, although I may be coming to You in an open audible way, there are souls coming to You today silently, privately. And Lord, I want to thank You that, either way, You're tuned right in.

Your Word confirms this for us. Psalm 94:11 reminds us that You know our very thoughts. Matthew 6:6 speaks of secret prayer that You openly reward! And Psalm 94:9 clarifies that, since You made the ear, surely You can hear! Yet, we're reminded that You don't allow our prayers to function like bringing the Genie out of the bottle. In Psalm 66:18, You warn us that we must come to You regretting our sin and repenting, turning our hearts away from unGodliness.

So, Lord, as we take on the challenges that we face, like a tire that needs alignment, by Your Holy Spirit bring us into alignment with You. And without question, we can know that You hear our prayers.

I thank You today, that You're not like the false gods, that can't hear and need to be carried. Thank You for being our true and living, prayer answering God.

I pray in the Name of Jesus, Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2316**.

Federal and State Affairs: **HB 2408**, **HB 2417**.

Financial Institutions and Insurance: **HB 2380**.

Judiciary: **HB 2412**.

Transportation: **SB 309**.

Ways and Means: **HB 2363**.

MESSAGES FROM THE GOVERNOR

SB 21, SB 77 approved on March 30, 2021.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub SB 100, AN ACT concerning driving; relating to drivers' licenses; providing an exclusion from the additional 90-day period for suspended or revoked licenses; amending K.S.A. 2020 Supp. 8-262 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The substitute bill passed.

SB 265, AN ACT concerning the Kansas public employees retirement system; relating to death and long-term disability benefits; providing a moratorium on employer contributions to the group insurance reserve fund; amending K.S.A. 74-4927 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

The bill passed.

SB 304, AN ACT concerning the COVID-19 contact tracing privacy act; removing the sunset provision; amending K.S.A. 2020 Supp. 48-961 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 26; Nays 14; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, McGinn, Pettey, Pittman, Sykes, Ware.

The bill passed.

HB 2064, AN ACT concerning retirement and pensions; relating to the Kansas deferred retirement option program act; election; extension of initial DROP period; amending K.S.A. 74-4986n and K.S.A. 2020 Supp. 74-4986l and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2077, AN ACT concerning crime-related task forces and commissions; relating to the Kansas closed case task force; extending the task force and providing for staff assistance; renaming the task force the Alvin Sykes cold case DNA task force; relating to the Kansas criminal justice reform commission; extending the commission and limiting the scope of study; amending K.S.A. 2020 Supp. 21-6901 and 21-6902 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

The bill passed, as amended.

HB 2079, AN ACT concerning state officers; relating to certain powers, duties and functions of the secretary of state and the attorney general; charitable organizations; increasing the fees for certain charitable organizations; creating the charitable organizations fee fund; relating to the address confidentiality program; transferring duties to the attorney general; amending K.S.A. 17-1759, 17-1763, 17-1764, 17-1765, 17-1766, 17-1769, 17-1771, 17-1772, 46-236, 75-451, 75-452, 75-453, 75-454, 75-455, 75-456, 75-457 and 75-458 and K.S.A. 2020 Supp. 17-1762 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Hilderbrand, Pyle, Tyson.

The bill passed, as amended.

HB 2085, AN ACT concerning postsecondary education; creating the students' right to know act; relating to the publication of certain information regarding postsecondary education, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes,

Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2101, AN ACT concerning the university engineering initiative act; relating to goals; authorizing transfers from the expanded lottery act revenues fund for certain fiscal years; requiring certain reports to the legislature from state educational institutions, the board of regents and the secretary of commerce; amending K.S.A. 74-8768, 76-7,137 and 76-7,139 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 37; Nays 2; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Ware, Wilborn.

Nays: Peck, Tyson.

Present and Passing: Warren.

The bill passed.

HB 2106, AN ACT concerning income taxation; relating to tax returns; extending the dates when corporate returns are required to be filed; providing conformity with the federal return due date for returns other than corporate returns; relating to adjusted gross income; exempting compensation income attributable as a result of identity fraud; providing a subtraction modification for amounts received from retirement plans; relating to withholding tax; providing a temporary option for teleworking employees; amending K.S.A. 79-3221 and 79-32,117 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 24; Nays 15; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Bowers, Claeys, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Longbine, McGinn, O'Shea, Pettey, Pittman, Sykes, Ware.

Present and Passing: Billinger.

The bill passed, as amended.

HB 2114, AN ACT concerning the legislature; establishing the Kansas senior care task force; prescribing topics of study; membership; meeting requirements; records; report, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Steffen, Tyson.

The bill passed, as amended.

HB 2121, AN ACT concerning crimes, punishment and criminal procedure; increasing criminal penalty for mistreatment of a dependent adult or elder person when the victim is a resident of an adult care home; relating to defendants who abscond from supervision; definitions; surrender of obligor by surety; release of surety; requiring delivery to county where the complaint subject to the bond was filed; adding a definition of custodial officer of the court; amending K.S.A. 22-2809 and 75-5217 and K.S.A. 2020 Supp. 21-5417 and 22-2202 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2136, AN ACT concerning insurance; relating to the regulation of the business thereof; updating certain definitions relating to service contracts and surplus lines insurance; interest rate calculations relating to nonforfeiture law for individual deferred annuities; application requirements for certification of utilization review organizations; requirements for out-of-state risk retention groups to do business in state; applications for registration of professional employer organizations; repealing the automobile club services act; amending K.S.A. 40-22a04, 40-22a06 and 40-4103 and K.S.A. 2020 Supp. 40-201a, 40-246i, 40-4,104, 40-22a05 and 44-1704 and repealing the existing sections; also repealing K.S.A. 40-2405, 40-2501, 40-2502, 40-2503, 40-2504, 40-2505, 40-2506, 40-2507, 40-2508, 40-2509, 40-2510, 40-2511, 40-2512 and 40-2513, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Peck, Tyson.

The bill passed, as amended.

HB 2158, AN ACT concerning open government; relating to the state child death review board; relating to the confidentiality of records; exceptions thereto; relating to the department of health and environment, division of public health; powers, duties and functions of the advisory committee on trauma and the statewide trauma system regional council; continuing in existence the authority to conduct closed session meetings and keep records privileged; amending K.S.A. 75-5664 and 75-5665 and K.S.A. 2020 Supp. 22a-243 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll,

Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

S Sub Sub HB 2196, AN ACT concerning employment security; creating the unemployment compensation modernization and improvement council; providing for an audit to be conducted by the council; providing for development of a new unemployment insurance information technology system; claimant tax information; website publication of trust fund data; maximum benefit period; charging of employer accounts for benefits paid; employment security board of review and emergency expansion thereof; employer contribution rate determination and schedules; crediting employer accounts for fraudulent or erroneous payments; services performed by petroleum landmen; lessor employment unit employee leasing restrictions; disclosure of information; shared work compensation program; establishing the my reemployment plan providing job search and job matching assistance to claimants and employers; providing for workforce training program availability for claimants; providing for the transfer of certain federal coronavirus relief funds received by the state to the employment security fund; changing the benefit disqualification period for fraud; making and concerning appropriations for the fiscal years ending June 30, 2021, and June 30, 2022; authorizing certain transfers and imposing certain limitations; establishing a new crime of unemployment insurance fraud with an enhanced penalty; amending K.S.A. 44-758 and K.S.A. 2020 Supp. 44-703, 44-704, 44-705, 44-706, 44-709, 44-710, 44-710a, 44-710b, 44-714, 44-719 and 44-757 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The substitute bill passed, as amended.

S Sub HB 2201, AN ACT concerning transportation; relating to the Eisenhower legacy transportation program; decreasing the threshold amount required for alternate delivery projects; providing for the usage of federal stimulus funds for certain projects; calculating KDOT bonding and debt cap authority; amending K.S.A. 68-2320 and 68-2328 and K.S.A. 2020 Supp. 68-2314c, 68-2332 and 75-5094 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The substitute bill passed.

S Sub HB 2208, AN ACT concerning health and healthcare; relating to credentialing of health professions and facilities; establishing rural emergency hospitals as a rural healthcare licensure category; requirements for licensure; certification and funding of certified community behavioral health clinics; prescribing powers, duties and functions of the Kansas department for aging and disability services and the department of health and environment related thereto; authorizing the issuance of telemedicine waivers for the practice of telemedicine by out-of-state healthcare providers; relating to professions regulated by the behavioral sciences regulatory board; reducing certain licensing requirements; expanding temporary practice permits and the board's grounds for discipline; amending K.S.A. 65-425, 65-431, 65-5804a, 65-5807a, 65-5808, 65-5809, 65-6309a, 65-6311, 65-6404, 65-6405a, 65-6408, 65-6610, 65-6612, 65-6615, 74-5316a, 74-5324, 74-5363, 74-5367a and 74-5369 and K.S.A. 2020 Supp. 65-6306 and 65-6411 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Steffen, Tyson.

The substitute bill passed.

HB 2244, AN ACT concerning industrial hemp; relating to the effective disposal thereof by the department of agriculture in coordination with state or local law enforcement; requiring industrial hemp processors to register with the state fire marshal; providing exemptions from regulations; allowing issuance of stop sale, use or removal orders; amending K.S.A. 2020 Supp. 2-3901, 2-3903, 2-3907 and 2-3908 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 4; Present and Passing 1; Absent or Not Voting 0.

Yeas: Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Erickson, Hilderbrand, Peck, Pyle.

Present and Passing: Alley.

The bill passed, as amended.

HB 2247, AN ACT concerning roads and highways; designating a portion of K-67 highway as the COII Trenton J Brinkman memorial highway; designating bridges on U.S. highway 54 as the Jack Taylor memorial bridge and the Max Zimmerman memorial bridge; designating a bridge on United States highway 77 as the PFC Loren H Larson memorial bridge; designating a bridge on United States highway 166 as the SGT Tyler A Juden memorial bridge; designating a portion of United States highway 69 as the Senator Dennis Wilson memorial highway; designating a portion of K-7 as the Senator Bud Burke memorial highway; designating a portion of United States highway 77 as the CPL Allen E Oatney and SP4 Gene A Myers memorial highway; amending K.S.A. 68-1022 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I ask that the Senate body pause briefly and recall the stories of those men who will now be acknowledged on our United States highways and bridges throughout Kansas. Each of them served our communities, our state and our country with distinction. I extend a special thank you for the Senator from Cloud for the kind, thoughtful manner in which she carried this important legislation on the Senate floor. We know that each of these men continue to be missed by their family members, their friends, and their community. Those recognized in **HB 2247** are worthy of our unanimous vote.—MOLLY BAUMGARDNER

Senators Francisco, Gossage, Haley, Petersen, Ryckman and Warren request the record to show they concur with the "Explanation of Vote" offered by Senator Baumgardner on **HB 2247**.

HB 2379, AN ACT concerning transportation; relating to peer-to-peer vehicle sharing; establishing insurance requirements; liability; recordkeeping requirements; consumer protection provisions; enacting the peer-to-peer vehicle sharing program act; amending K.S.A. 2020 Supp. 50-656 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

The bill passed.

HB 2390, AN ACT concerning public records; relating to disclosure thereof under the open records act; making permanent certain exceptions to disclosure; creating exemptions in the open records act for cybersecurity assessments, plans and vulnerabilities; amending K.S.A. 75-5664 and 75-5665 and K.S.A. 2020 Supp. 9-513c, 9-2209, 12-5374, 16-335, 17-1312e, 25-2309, 40-2,118, 40-4913, 45-217, 45-221, 45-229 and 45-254 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson,

Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2391, AN ACT concerning the secretary of state; relating to duties and responsibilities thereof; providing for biennial filing of business reports; changing business filing provisions and requirements related to business names and electronic signatures; removing certain exemptions from the open records act for certain business tax records no longer required to be filed; UCC filings with improperly included social security numbers; other filing or information requirements; filing fees; repealing certain obsolete statutes including relating to blanket music licenses; publication and distribution of session laws, the Kansas register, proposed amendments to the constitution of the state of Kansas and Kansas administrative rules and regulations; permitting use of printing and binding services from the commercial market; amending K.S.A. 17-1513, 17-1618, 17-2037, 17-2711, 17-4677, 17-5902, 17-7509, 17-7511, 45-106, 45-315, 53-601, 56-1a151, 56-1a605, 56a-101, 64-103, 75-430, 75-433, 75-436, 75-446, 75-1005, 75-3520, 77-138, 77-417, 77-430, 77-430a, 77-431 and 77-438 and K.S.A. 2020 Supp. 17-2036, 17-2718, 17-4634, 17-6014, 17-6014, as amended by section 10 of this act, 17-7002, 17-7503, 17-7504, 17-7505, 17-7506, 17-7510, 17-7512, 17-76.136, 17-76.139, 17-76.146, 17-76.147, 17-78-601, 17-7903, 17-7904, 17-7905, 17-7906, 17-7910, 17-7910, as amended by section 31 of this act, 17-7936, 45-107, 45-229, 56-1a606, 56-1a607, 56a-1001, 56a-1201 and 56a-1202 and repealing the existing sections; also repealing K.S.A. 17-7507, 57-205, 57-206, 57-207 and 75-447, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Warren moved the Senate concur in House amendments to **SB 283**.

SB 283, AN ACT concerning the governmental response to the COVID-19 pandemic in Kansas; extending the expanded use of telemedicine in response to the COVID-19 public health emergency; extending the authority of the board of healing arts to grant certain temporary emergency licenses; imposing requirements related thereto and expiring such provisions; extending the suspension of certain requirements related to medical care facilities and expiring such provisions; modifying the COVID-19 response and reopening for business liability protection act; extending immunity from civil liability for certain healthcare providers and for certain persons conducting business in this state for COVID-19 claims until March 31, 2022; amending K.S.A. 2020 Supp. 48-963, as amended by section 7 of 2021 Senate Bill No. 14, 48-964, 48-965, as amended by section 8 of 2021 Senate Bill No. 14, 60-5503, 60-5504, as amended by section 10 of 2021 Senate Bill No. 14, 60-5508 and 65-468 and repealing the existing sections.

On roll call, the vote was: Yeas 30; Nays 10; Present and Passing 0; Absent or Not

Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Haley, Holland, Holscher, Pettey, Steffen, Straub, Sykes, Ware.

The Senate concurred.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointments submitted by the Governor and Insurance Commissioner to the Senate for confirmation were considered.

Senator Alley moved the following appointments be confirmed as recommended by the **Committees on Financial Institutions and Insurance and Commerce**.

By the Commissioner of Insurance

On the appointment to the:

Office of the State Securities Commissioner:

Daniel Klucas, At the pleasure of the insurance commissioner

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Peck, Sykes, Ware.

The appointment was confirmed.

By the Governor

On the appointment to the:

Department of Labor:

Amber Shultz, At the pleasure of the governor

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The appointment was confirmed.

COMMITTEE OF THE WHOLE

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

HB 2039 be amended by motion of Senator Haley: on page 2, following line 39, by inserting:

"Sec. 2. K.S.A. 72-3236 is hereby amended to read as follows: 72-3236. (a) ~~H~~

~~order~~ to equip students with the knowledge and skills needed to become self-supporting and ~~to~~ enable students to make critical decisions regarding personal finances, the state board of education shall authorize and assist in the implementation of programs on teaching personal financial literacy.

(b) The state board of education shall develop a curriculum, materials and guidelines that local boards of education and governing authorities of accredited nonpublic schools may use ~~in implementing to implement~~ the program of instruction on personal financial literacy. The state board of education shall adopt a glossary of personal financial literacy terms which shall be used by school districts when implementing the program on personal financial literacy.

(c) The state board of education shall develop state curriculum standards for personal financial literacy, ~~for all grade levels, for kindergarten and grades one through 10~~ within the existing mathematics curriculum or another appropriate subject-matter curriculum, ~~and for grades 11 and 12 in accordance with subsection (d).~~

(d) ~~The state board of education shall encourage school districts when selecting textbooks for mathematics, economics, family and consumer science, accounting or other appropriate courses, to select those textbooks which contain substantive provisions on personal finance, including personal budgeting, credit, debt management and other topics concerning personal financial literacy.~~

(e) ~~The state board of education shall include questions relating to personal financial literacy in the statewide assessments for mathematics or social studies required under K.S.A. 72-5170, and amendments thereto. When the statewide assessments for mathematics or social studies are reviewed or rewritten, the state board of education shall examine the questions relating to personal financial literacy and rewrite such questions in order to determine if programs on personal financial literacy are equipping students with the knowledge and skills needed to become self-supporting and enabling students to make critical decisions regarding personal finances. A course of instruction concerning personal financial literacy shall be at least one semester or two quarters or the equivalent thereof, and shall include, but not be limited to, the following topics:~~

~~(1) Saving and investing, including, but not limited to, understanding investments, wealth building and college savings;~~

~~(2) credit and debt, including, but not limited to, topics concerning the dangers of excessive debt, consumer awareness, credit bureaus, payday and car title loans and collection practices;~~

~~(3) financial responsibility and money management, including, but not limited to, topics concerning budgeting and negotiating techniques; and~~

~~(4) insurance, risk management and income, including, but not limited to, topics concerning insurance coverage, taxes, real estate rent or purchase options, mortgages and automobile and personal loans.";~~

Also on page 2, in line 40, by striking "is" and inserting "and 72-3236 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "civics" and inserting "courses of"; in line 2, by striking all before "a"; also in line 2, after "examination" by inserting "and a personal financial literacy course"; in line 3, after "72-3217" by inserting "and 72-3236"; also in line 3, by striking "section" and inserting "sections"

And **HB 2039** be passed as amended.

An amendment on **HB 2039** was offered by Senator Sykes. A ruling of the chair was

requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment not germane.

The Committee rose and reported progress (See Committee of the Whole afternoon session.)

On motion of Senator Alley, the Senate recessed until 2:00 p.m.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

COMMITTEE OF THE WHOLE

The Senate returned to Committee of the Whole for consideration of bills under the heading of General Orders with Senator McGinn in the Chair.

On motion of Senator McGinn the report for the morning and the following afternoon session was adopted.

SB 199; HB 2021, HB 2143, HB 2245 be amended by the adoption of the committee amendments, and the bills be passed as amended.

HB 2332 be amended by the adoption of the committee amendments, be further amended by motion of Senator Alley: on page 6, in line 2, after "advance" by inserting "voting"; in line 4, by striking "advance ballot" and inserting "application"; in line 5, after "application" by inserting "to the voter"; also in line 5, by striking "advanced ballot"

HB 2332 be further amended by motion of Senator Francisco: on page 2, in line 4, by striking "cannot be used as a residence" and inserting "does not correspond to a physical location that can be occupied"

and **HB 2332** be passed as further amended.

A motion by Senator Corson to amend **HB 2332** failed and the following amendment was rejected: on page 6, following line 33, by inserting:

"Sec. 4. K.S.A. 25-2306 is hereby amended to read as follows: 25-2306. ~~The application for registration shall include a statement by the applicant that he will have reached the age of eighteen (18) years before the next statewide general election (a)~~ Any person 16 years of age or older may apply to register to vote. If the applicant is under 18 years of age, the secretary of state shall suspend such applicant's registration until such time as the person reaches 18 years of age.

~~(b) No person may vote at any election until he such person has reached the age of eighteen (18) 18 years of age."~~

On page 7, in line 3, before "K.S.A" by inserting "K.S.A. 25-2306 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, after the semicolon by inserting "authorizing voter registration for individuals 16 years of age or older;"; in line 11, after "amending" by inserting "K.S.A. 25-2306 and"

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

On roll call, the vote was: Yeas 11; Nays 28; Present and Passing 0; Absent or Not Voting 1.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Fagg, Gossage,

Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Erickson.

A motion by Senator Francisco to amend **HB 2332** was withdrawn.

The committee report on **HB 2183** recommending **S Sub HB 2183** be adopted, be amended by motion of Senator Tyson: on page 2, following line 25, by inserting:

"New Sec. 3. (a) False representation of an election official is engaging in any of the following conduct by phone, mail, email, website or other online activity or by any other means of communication while not holding a position as an election official:

- (1) Representing oneself as an election official;
- (2) engaging in conduct that gives the appearance of being an election official; or
- (3) engaging in conduct that would cause another person to believe a person engaging in such conduct is an election official.

(b) False representation of an election official is a severity level 7, nonperson felony.

(c) As used in this section, "election official" means the secretary of state, or any employee thereof, any county election commissioner or county clerk, or any employee thereof, or any other person employed by any county election office.";

And by renumbering sections accordingly;

On page 1, in the title, in line 10, after the semicolon by inserting "creating the crime of false representation of an election official;"

A ruling of the chair was requested as to the germaneness of the Tyson amendment.

The chair ruled the amendment was germane to the bill.

S Sub HB 2183 be further amended by motion of Senator Tyson: on page 2, following line 25, by inserting:

"New Sec. 3. (a) Each month, the secretary of state shall publish the following information on the official website of the secretary of state:

- (1) The total number of registered voters in each county of this state;
- (2) the total number of registered voters in each county who have been identified by the county election office as having mail that is undeliverable and the number of such registered voters as a percentage of all registered voters in the county; and
- (3) the total number of registered voters for each political party.

(b) On the 20th day prior to any election, the secretary of state shall publish the total number of registered voters in each voting precinct and include in such publication the total number of such registered voters who affiliated with each political party on the official website of the secretary of state.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the first semicolon by inserting "directing the secretary of state to publish certain registered voter totals;"

and **S Sub HB 2183** be passed as amended.

A motion by Senator Ware to amend **HB 2183** failed and the following amendment was rejected: on page 2, in line 10, by striking the colon; in line 11, by striking "(A)"; also in line 11, by striking all after "voter"; by striking all in line 12; in line 13, by striking all before the semicolon; in line 23, by striking all after "(c)"; by striking all in line 24; in line 25, by striking "(d)"

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 1; Absent or Not Voting 3.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Nays: Alley, Baumgardner, Claeys, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Present and Passing: McGinn.

Absent or Not Voting: Billinger, Bowers, Dietrich.

A motion by Senator Corson to amend **HB 2183** failed and the following amendment was rejected: on page 2, following line 25, by inserting:

"Sec. 3. K.S.A. 2020 Supp. 25-1123 is hereby amended to read as follows: 25-1123. (a) When an application for an advance voting ballot has been filed in accordance with K.S.A. 25-1122, and amendments thereto, the county election officer shall transmit to the voter applying therefor one each of the appropriate ballots. Unless an advance voting ballot is transmitted in person pursuant to this subsection, the county election officer shall transmit the advance voting ballots to the voter at one of the following addresses as specified by the voter on such application: (1) The voter's residential address or mailing address as indicated on the registration list; (2) the voter's temporary residential address; or (3) a medical care facility as defined in K.S.A. 65-425, and amendments thereto, psychiatric hospital, hospice or adult care home where the voter resides. No advance voting ballot shall be transmitted by the county election officer by any means prior to the ~~20th~~ 30th day before the election for which an application for an advance voting ballot has been received by such county election officer. If the advance voting ballot is transmitted by mail, such ballot shall be transmitted with printed instructions prescribed by the secretary of state and a ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot. If the advance voting ballot is transmitted to the applicant in person in the office of the county election officer or at a satellite advance voting site, such advance voting ballot and printed instructions shall be transmitted in an advance voting ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot unless the voter elects to deposit the advance voting ballot into a locked ballot box without an envelope. All ballots shall be transmitted to the advance voting voter not more than ~~20~~ 30 days before the election but within two business days of the receipt of such voter's application by the election officer or the commencement of such ~~20-day~~ 30-day period. In primary elections required to be conducted on a partisan basis, the election officer shall deliver to such voter the ballot of the political party of the applicant.

(b) The restrictions in subsection (a) relating to where a county election officer may transmit an advance voting ballot shall not apply to an advance voting ballot requested pursuant to an application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language.

(c) The county election officer shall compare the driver's license number, nondriver's identification card number or copy of other valid identification provided by a voter to the voter registration list verified by the division of vehicles in accordance with federal law. If no identification information was provided by the voter or if such

information does not match the information on the voter registration list, the county election officer shall transmit a provisional advance voting ballot.";

On page 6, in line 35, after "Supp." by inserting "25-1123,";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after the second semicolon by inserting "increasing the time period for transmitting such ballots to registered voters,"; in line 11, after "Supp." by inserting "25-1123,"

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, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Nays: Alley, Baumgardner, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren.

Absent or Not Voting: Billinger, McGinn, Peck, Wilborn.

Senator Corson motioned to further amend **S Sub HB 2183** failed.

An amendment was offered on **S Sub HB 2183** by Senator Holland. A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment not germane.

The committee report on **HB 2074** recommending **S Sub HB 2074** be adopted, and the substitute bill be passed.

The committee report on **HB 2153** recommending **S Sub HB 2153** be adopted, and the substitute bill be passed.

A motion by Senator Haley to amend **S Sub HB 2153** was withdrawn.

Sub HB 2089, HB 2090 be passed over and retain a place on the calendar.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 199; HB 2021, HB 2039; S Sub HB 2074; HB 2143; S Sub HB 2153, S Sub HB 2183; HB 2245, HB 2332** were advanced to Final Action and roll call.

SB 199, AN ACT concerning insurance; relating to health insurance; providing for short-term, limited-duration health plans; amending K.S.A. 2020 Supp. 40-2,193 and repealing the existing section.

On roll call, the vote was: Yeas 27; Nays 6; Present and Passing 7; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Doll, Erickson, Fagg, Francisco, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Holland, Holscher, Pittman, Sykes, Ware.

Present and Passing: Dietrich, Faust-Goudeau, Haley, Hawk, Longbine, McGinn, Pettey.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: The health insurance plans supported by this bill are predatory

and discriminatory. Our healthcare coverage system is deeply flawed; plans like these are quick fixes that are attractive on the surface, but can lead to long-term negative consequences. These plans hurt our most vulnerable in the risk pool by increasing premiums for comprehensive coverage, and they can come back to haunt individuals who elect to use them by capping benefits on coverage for things like heart attacks. They also exclude coverage for essential health benefits, such as maternity care, which is particularly egregious since this body has made it clear it is determined to make reproductive and family planning decisions on behalf of Kansas women. We do need to make our healthcare system work for more people, as a healthy Kansas is a productive Kansas. I hope that my colleagues who support this bill will support my caucus's efforts to expand that access by using the incentives in the American Recovery Plan to expand Medicaid in our state.—DINAH SYKES

HB 2021, AN ACT concerning the issuance of certain bonds; relating to the construction of a state veterans home; providing for the powers, duties and functions of the Kansas development finance authority, the department of administration and the state finance council.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: A bright spot today, **HB 2021** brings us one step forward towards realizing our Kansan veterans' goals of having a new veterans home in Northeast KS. I commend this body and the Governor for advancing this dream. It's only right to give back to those who stepped up in service and sacrifice for our country. I vote aye.—JEFF PITTMAN

Senator Erickson request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **HB 2021**.

HB 2039, AN ACT concerning education; relating to courses of instruction; requiring a civics examination and a personal financial literacy course for high school graduation; amending K.S.A. 72-3217 and 72-3236 and repealing the existing sections.

On roll call, the vote was: Yeas 24; Nays 15; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Bowers, Claeys, Erickson, Fagg, Gossage, Haley, Hilderbrand, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Hawk, Holland, Holscher, Longbine, McGinn, O'Shea, Pettey, Pittman, Sykes, Ware.

Present and Passing: Billinger.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I believe in respecting local control. I appreciate the work and conversations that have gone into strengthening the civics curriculum for our students prior to graduation. I believe we need to respect our elected officials at the local level, the same people who elect the state senate. Those who are elected at the local level make decisions for our unique school districts concerning curriculum and other needs of our students with guidance by another state elected entity, the State Board of Education. I support civics education, but I do not support government overreach. Therefore, I vote no on **HB 2039**.—CAROLYN MCGINN

Mr. Vice President: A troubling pattern has emerged in this chamber this session, with legislators concentrated on passing sweeping and restrictive laws to address problems that they have not shown actually exist in our state. Furthermore, these sweeping measures have almost always involved some form of legislative overreach or power grab over authority already given to other officials or bodies elected at the local level. HB 2039 is just another example of both: our students have not shown to be any less civically engaged than previous generations. There is no indication that their existing curriculum does not teach them why we celebrate the 4th of July or why there are 13 stripes on our flag. And the legislature is solving this nonexistent problem by giving itself power to decide curriculum, a power that already rests with our duly elected State Board of Education. I vote NO.—PAT PETTEY

Senator Francisco, Senator Haley and Senator Sykes request the record to show they concur with the "Explanation of Vote" offered by Senator Pettey on **HB 2039**.

S Sub HB 2074, AN ACT concerning financial institutions; enacting the technology-enabled fiduciary financial institutions act; relating to requirements, fiduciary powers, duties, functions and limitations for such fiduciary financial institutions; pilot program; prescribing administrative powers and duties for the state banking board and the state bank commissioner; establishing the technology-enabled fiduciary financial institutions development and expansion fund; providing an income and privilege tax credit for technology-enabled fiduciary financial institutions making certain qualified charitable distributions.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The substitute bill passed.

HB 2143, AN ACT concerning sales taxation; relating to exemptions; extending the sunset date of the exemption of certain cash rebates on sales or leases of new motor vehicles; modifying the exemption for construction materials for certain educational institutions; relating to returns and payment of tax by retailers; increasing sales tax collection thresholds; discontinuing the prepayment of such tax; amending K.S.A. 79-3602, 79-3606 and 79-3607 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 1; Absent or Not

Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Longbine.

The bill passed, as amended.

S Sub HB 2153, AN ACT concerning children and minors; establishing the office of the child advocate within the office of the attorney general and prescribing certain powers, duties and functions therefor; the joint committee on child welfare system oversight; authorizing access to certain records; amending K.S.A. 2020 Supp. 38-2211, 38-2212, 38-2213, 38-2309 and 38-2310 and repealing the existing sections.

On roll call, the vote was: Yeas 31; Nays 4; Present and Passing 5; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Holland, Pittman, Sykes.

Present and Passing: Francisco, Hawk, Holscher, Pettey, Ware.

The substitute bill passed.

EXPLANATION OF VOTE

Mr. Vice President: I have always been for limited government and have always voted against any bills that I believe would grow government. I do not believe that passing legislation that forms legislative oversight committees is growing government, rather it is legislators doing what they were elected to do. **S Sub HB 2153** will be adding more legislative oversight over our broken foster care system, by also creating the office of the child advocate, **S Sub HB 2153** does also grow government. Before becoming involved with our foster care system in Kansas, I would have voted against **S Sub HB 2153** or any other bill that grows government. The foster care system in Kansas is broken. One of the charges we as legislators have, is to protect our most vulnerable Kansans. Because our foster kids are among our most vulnerable and we must start taking meaningful steps to fix this broken system, I vote Aye in support of **S Sub HB 2153**.—RICHARD HILDERBRAND

Senators Baumgardner and Faust-Goudeau request the record to show they concur with the "Explanation of Vote" offered by Senator Hilderbrand on **S Sub HB 2153**.

S Sub HB 2183, AN ACT concerning elections; creating the transparency in revenues underwriting elections act; prohibiting the receipt and expenditure of private moneys by election officials; relating to advance voting ballots; requiring signed statements for delivery of such ballots on behalf of a voter; limiting the number of such ballots that can be delivered; prohibiting the altering or backdating of the mailing date on such ballots; requiring a matching signature on such ballots; removing the secretary of state's authority to provide additional time for receipt of such ballots; prohibiting candidates for office from engaging in certain conduct related to advance voting ballots;

creating the crime of false representation of an election official; expanding the crime of electioneering; penalties for violations; amending K.S.A. 2020 Supp. 25-1124, 25-1128, 25-1132 and 25-2430 and repealing the existing sections; also repealing K.S.A. 25-608.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I completely support fair, secure, and transparent elections. I would like to go on record thanking our current Secretary of State and our county election officers and county clerks. They did a terrific job this past election cycle and this bill is no reflection on them. I would also like to thank our chair who listened and made adjustments in committee with our many election bills. My only concern is with our elderly residents in nursing homes and the disabled who I fear will be disenfranchised by the provision in this bill from **SB 292**. Our Kansas residents with disabilities have a right to request whomever they want to assist them in voting. The limit of five ballots that a caregiver or personal care attendant or CNA can help them with is too restrictive and has some pretty serious consequences. For that reason I reluctantly vote yes on this bill and ask that this issue be addressed at conference committee and continue to be worked on.—BRENDA DIETRICH

Senators Bowers and McGinn request the record to show they concur with the "Explanation of Vote" offered by Senator Dietrich on **S Sub HB 2183**.

HB 2245, AN ACT concerning transportation; relating to the division of vehicles; authorizing the division of vehicles to collect emergency contact information; allowing individuals to list emergency contact information on applications for drivers' licenses, instruction permits and non-driver's identification cards; permitting law enforcement agencies to use emergency contact information in emergency situations.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2332, AN ACT concerning elections; prohibiting the governor, the executive branch and the judicial branch from modifying election laws; limiting the authority of the secretary of state to enter into certain consent decrees in court without legislative coordinating council approval; directing the secretary of state to include mailing addresses for registered voters in electronic databases maintained by the secretary;

expanding the crime of election tampering; requiring identification of the sender on third party solicitations to registered voters to file an application for an advance voting ballot; prohibiting such solicitations by persons located outside this state; penalties for violations; amending K.S.A. 2020 Supp. 25-1122 and 25-2423 and repealing the existing sections.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: This past year has proven to us that we cannot anticipate what trials and tribulations we will face as a state. **HB 2332** blocks the ability of the Secretary of State, the executive, or the judicial branch from altering any election regulations even in the event of a natural disaster or other emergency. Not only is this a potentially unconstitutional encroachment on our executive and judiciary's powers, but it also renders our state potentially incapable of carrying out our elections and ensuring the right to vote for Kansans. It also contains many provisions regarding the logistics of mailing applications for advance ballots that are unclear, vague, and have not been vetted thoroughly. At one point in the committee, the chair claimed some of these amendments were being passed because of a problem that "we heard it maybe happened somewhere. We don't know if it happened in Kansas." Restrictive measures like these based on hearsay are solutions in search of a problem and tell the voters of this state that we do not value their right to vote. I vote NO on **HB 2332**.—DINAH SYKES

Senators Corson, Francisco, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **HB 2332**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to HB 2104 submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 22 through 36;

On page 2, by striking all in lines 1 through 18; following line 37, by inserting:

"Sec. 2. K.S.A. 2020 Supp. 19-430 is hereby amended to read as follows: 19-430.
(a) On July 1, 1993, and on July 1 of each fourth year thereafter, the board of county commissioners or governing body of any unified government of each county shall by resolution appoint a county appraiser for such county who shall serve for a term of four years expiring on June 30 of the fourth year thereafter. No person shall be appointed or reappointed to or serve as county appraiser in any county under the provisions of this act unless such person shall have at least three years of mass appraisal experience and

be qualified by the director of property valuation as an eligible Kansas appraiser under the provisions of this act. Whenever a vacancy shall occur in the office of county appraiser the board of county commissioners or governing body of any unified government shall appoint an eligible Kansas appraiser to fill such vacancy for the unexpired term. The person holding the office of county or district appraiser or performing the duties thereof on the effective date of this act shall continue to hold such office and perform such duties until a county appraiser is appointed under the provisions of this act. No person shall be appointed to the office of county or district appraiser or to fill a vacancy therein unless such person is currently: (1) A certified general real property appraiser pursuant to article 41 of chapter 58 of the Kansas Statutes Annotated, and amendments thereto; or (2) a registered mass appraiser pursuant to rules and regulations adopted by the secretary of revenue; ~~or (3) holding a valid residential evaluation specialist or certified assessment evaluation designation from the international association of assessing officers.~~ Notwithstanding the foregoing provision, the board of county commissioners or governing body of any unified government may appoint an interim county appraiser, subject to the approval of the director of property valuation, for a period not to exceed six months to fill a vacancy in the office of county appraiser pending the appointment of an eligible county appraiser under the provisions of this act.

(b) The secretary of revenue shall adopt rules and regulations ~~prior to October 1, 1997,~~ necessary to establish qualifications for the designation of a registered mass appraiser.

(c) On and after July 1, 2022, all appraisal courses necessary to qualify for the designation of a registered mass appraiser and all continuing education appraisal courses necessary to retain such designation shall be courses approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto.;

On page 3, in line 12, by striking "recognized"; also in line 12, after "courses" by inserting "approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto.";

On page 8, in line 2, after the period by inserting "Such courses shall be courses approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto.";

On page 22, in line 5, by striking "79-201x,"; in line 7, after "Supp." by inserting "19-430 and"; also in line 7, by striking all after "19-432"; in line 8, by striking "5142";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "to"; by striking all in lines 2 and 3; in line 12, after the semicolon by inserting "appraisal course requirements required to be approved by the real estate appraisal board,"; in line 15, after "office" by inserting ", qualifications and appraisal courses for registered mass appraiser designation"; in line 16, by striking "79-201x,"; in line 18, after "Supp." by inserting "19-430 and"; also in line 18, by striking "and 72-5142";

And your committee on conference recommends the adoption of this report.

CARYN TYSON
LARRY ALLEY
TOM HOLLAND

Conferees on part of Senate

ADAM SMITH

LES MASON

JIM GARTNER

Conferees on part of House

Senator Tyson moved the Senate adopt the Conference Committee Report on **S Sub SB 2104**.

On roll call, the vote was: Yeas 25; Nays 14; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Kerschen, Kloos, McGinn, Pettey, Pittman, Sykes, Ware.

Present and Passing: Billinger.

The Conference Committee Report was adopted.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Olson moved the Senate concur in House amendments to **SB 124**.

SB 124, AN ACT concerning STAR bonds; prohibiting public officials from benefiting from STAR bond projects; relating to the financing of STAR bond projects and rural redevelopment projects; eligible areas; public notice of hearings on city or county website; posting of documents and link to department of commerce database; disclosure of names of developer; major business facility; real estate transfers; plan for tracking the number of visitors; feasibility study requirements; disclosure of state, federal and local tax incentives within STAR bond district; capital investment and annual sales requirements; STAR bond districts; contiguity; project costs; sunset date; amending K.S.A. 2020 Supp. 12-17,162, 12-17,165, 12-17,166, 12-17,169, 12-17,171 and 12-17,179 and repealing the existing sections.

On roll call, the vote was: Yeas 30; Nays 9; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Hawk, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Ryckman, Suellentrop, Sykes, Thompson, Ware, Wilborn.

Nays: Baumgardner, Erickson, Haley, Hilderbrand, Peck, Pyle, Steffen, Straub, Tyson.

Present and Passing: Warren.

The Senate concurred.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Masterson, Wilborn and Alley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1717—

A RESOLUTION urging the legislative coordinating council to revoke any executive order issued by the governor mandating face coverings if such

an executive order is issued while the legislature is adjourned.

WHEREAS, 2021 Senate Bill No. 40 was signed into law on March 24, 2021, and became effective on March 31, 2021. This legislation revokes all executive orders currently in effect issued by the governor pursuant to K.S.A. 48-925, and amendments thereto, in response to the current state of disaster emergency declared pursuant to K.S.A. 48-924, and amendments thereto, related to the COVID-19 public health emergency; and

WHEREAS, Governor Kelly issued a statement on March 24, 2021, indicating that she intends to issue an executive order similar to Executive Order 20-68, establishing a face coverings protocol on April 1, 2021; and

WHEREAS, 2021 Senate Bill No. 40 authorizes the legislature to revoke an executive order issued pursuant to K.S.A. 48-925, and amendments thereto, by concurrent resolution of the legislature, and, if the legislature is not in session or is adjourned for three or more days during the legislative session, the legislative coordinating council is authorized to revoke an executive order issued pursuant to K.S.A. 48-925, and amendments thereto; and

WHEREAS, Pursuant to the 2021 session planner, the legislature is scheduled to adjourn on March 31, 2021, for a period of time that is longer than three days; and

WHEREAS, Local units of government, including counties and cities, maintain the legal authority to take any action related to face coverings that such local unit of government determines is necessary for the safety of the people in their community: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Kansas Senate urges the legislative coordinating council to revoke any executive order issued by the governor pursuant to K.S.A. 48-925, and amendments thereto, establishing a face coverings protocol if such an executive order is issued by the governor during a time when the legislature is not in session or is adjourned for three or more days during the legislative session; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the chairperson of the legislative coordinating council.

President Masterson moved **SR 1717** be advanced to Final Action, subject to debate and roll call. The motion was adopted.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

The resolution was adopted.

EXPLANATION OF VOTE

Mr. Vice President: If anyone ever doubted that the COVID virus was political just look at today's vote. Right down political lines.—MARK STEFFEN

Mr. Vice President: We are all utterly exhausted with Covid and all it's brought. For me, one more Kansan lost is one too many. I proudly vote NO.—MARY WARE

Senators Pettey and Sykes request the record to show they concur with the "Explanation of Vote" offered by Senator Ware on **SR 1717**.

MESSAGES FROM THE GOVERNOR

SB 283 approved on March 31, 2021.

CHANGE OF CONFERENCE

The Vice President appointed Senator Billinger to replace Senator Petersen as a member of the conference committee on **HB 2007**.

MESSAGES FROM THE HOUSE

Announcing adoption of **HCR 5019**.

HCR 5019, A CONCURRENT RESOLUTION relating to the adjournment of the senate and the house of representatives for a period of time during the 2021 regular session of the legislature, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5019** was adopted by voice vote.

REPORT ON ENROLLED BILLS

SB 283 reported correctly enrolled, properly signed and presented to the Governor on March 31, 2021.

SR 1716 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 31, 2021.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Tuesday, April 6, 2021.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

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