

Journal of the Senate

FIFTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, April 6, 2021, 10:00 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:

Freeing Yourself of Grave Clothes!
Jeremiah 29:11, John 11:42-44, Hebrews 12:1

Heavenly Father, thank You for bringing us through a significant time of celebration, a time when we are reminded that You have power over death and the grave, that You are the giver, maintainer and re-generator of life. Your Word says in Jeremiah 29:11 that You have plans, plans for us to have a prosperous future.

In John 11:42-44, the future for Lazarus was looking rather dim. He was in the grave. But as a display of Your resurrection power and as a sign pointing to Christ's resurrection, You raised Lazarus from the dead.

But unlike the Christ, there was a problem with Lazarus. Although he was no longer in the grave and was granted new life, he was still bound by his grave clothes. Lord, as You bring us into a fresh newness of life, are there some ways we're being hindered? Are there grave clothes that we need to shed?

In Hebrews 12:1, You say we must get rid of everything that slows us down, especially the sins that want to hold on to you. And we must be determined to run the race that is ahead of us.

Give us the same kind of determination that Scott Drew, head coach of the Baylor Bears, gave reference to. He said they did not come to just play in the tournament. They came to win!

So Lord, that we may be winners, as You did with Lazarus, deliver us from any dead places that hold us back and free us from any dead clothes that slow us down or bind us. Thank You for being our Head Coach with a plan for us to win. I offer this prayer in the precious Name of Jesus, Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

MESSAGES FROM THE GOVERNOR

SB 64, SB 118 approved on April 2, 2021

SB 37, SB 63, SB 99 approved on April 5, 2021

The following Executive Orders are enclosed for your information: EO 21-09, EO, 21-10, EO 21-11, EO 21-12, EO 21-13, EO 21-14, EO, 21-15, EO 21-16. EO 21-17, EO 21-18, EO 21-19, EO 21-20, EO 21-21. (April 1, 2021)

MESSAGE FROM THE HOUSE

Announcing passage of **Sub HB 2119, Sub HB 2397; HB 2448.**
Announcing passage of **SB 159**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2119, Sub HB 2397; HB 2448 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Kerschen the Senate nonconcurrred in the House amendments to **SB 38** and requested a conference committee be appointed.

The Vice President appointed Senators Kerschen, Straub and Ware as a conference committee on the part of the Senate.

On motion of Senator Kerschen the Senate nonconcurrred in the House amendments to **SB 142** and requested a conference committee be appointed.

The Vice President appointed Senators Kerschen, Straub and Ware as a conference committee on the part of the Senate.

On motion of Senator Kerschen the Senate nonconcurrred in the House amendments to **SB 143** and requested a conference committee be appointed.

The Vice President appointed Senators Kerschen, Straub and Ware as a conference committee on the part of the Senate.

On motion of Senator Kerschen the Senate nonconcurrred in the House amendments to **SB 160** and requested a conference committee be appointed.

The Vice President appointed Senators Kerschen, Straub and Ware as a conference committee on the part of the Senate.

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.

AFTERNOON SESSION**MESSAGE FROM THE HOUSE**

The following bills were stricken from the Calendar on March 31, 2021 in accordance with House Rule 1507: **SB 4, SB 56; H Sub SB 69; SB 120; H Sub SB 167, SB 204.**

Announcing passage of **SB 16.**

The House accedes to the request of the Senate for a conference on **SB 60** and has appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for SB 78** and has appointed Representatives S. Johnson, Croft and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 106** and has appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 122** and has

appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 127** and has appointed Representatives Proehl, Delperdang and Helgerson as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for SB 273** and has appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2134**, requests a conference and has appointed Representatives S. Johnson, Croft and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2218**, requests a conference and has appointed Representatives Ryckman, Croft and Neighbor as conferees on the part of the House.

The House announce the appointment of Representatives Waymaster, Hoffman and Wolfe Moore as conferees on **HB 2007**

CHANGE OF CONFERENCE

The Vice President appointed Senators Baumgardner, Erickson and Sykes to replace Senators Hilderbrand, Gossage and Pettey as members of the conference committee on **SB 175**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **Sub HB 2166** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

MIKE PETERSEN

J.R. CLAEYS

Conferees on part of Senate

RICHARD PROEHL

LEO DELPERDANG

Conferees on part of House

On motion of Senator Petersen the Senate adopted the conference committee report on **HB 2166**, and requested a new conference be appointed.

The Vice President appointed Senators Petersen, Claeys and Hawk as a second Conference Committee on the part of the Senate on **Sub HB 2166**.

ORIGINAL MOTION

On motion of Senator Billinger, the Senate acceded to the request of the House for a conference on **HB 2218**.

The Vice President appointed Senators Billinger, Claeys and Hawk as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2134**.

The Vice President appointed Senators Longbine, Peck and Holscher as conferees on the part of the Senate.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Billinger the Senate nonconcur in the House amendments to **SB 159** and requested a conference committee be appointed.

The Vice President appointed Senators Billinger, Claeys and Hawk as a conference committee on the part of the Senate.

Senator Kerschen moved the Senate concur in House amendments to **SB 89**.

SB 89, AN ACT concerning traffic regulations; relating to size and weight laws; exempting the transport of agricultural forage commodities from the secured loads statute; amending K.S.A. 8-1906 and repealing the existing section.

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 Senate concurred.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointments submitted by the Governor and Attorney General for confirmation were considered.

Senator Alley moved the following appointments be confirmed.

By the Attorney General

On the appointment to the:

Office of Inspector General:

Steven Anderson, Term ends January 15, 2025

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.

By the Attorney General

On the appointment to the:

Kansas Crime Victims Compensation Board:

Rebecca Dickinson, Term ends March 15, 2025

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.

By the Governor

On the appointment to the:

State Civil Service Board:

Sheryl Gilchrist, Term ends March 15, 2025

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.

By the Governor

On the appointment to the:

Kansas Racing and Gaming Commission:

Brandon Jones, Term ends January 15, 2025

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, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Wilborn.

Present and Passing: Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Development Finance Authority:

Suchitra Padmanabhan, Term ends January 15, 2025

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.

By the Governor

On the appointment to the:

State Civil Service Board:

Tom Phillips, Term ends March 15, 2025

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

Voting 0.

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

Present and Passing: Erickson, Gossage, Straub, Suellentrop, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Mark Uhlig, Term ends March 15, 2024

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.

By the Governor

On the appointment to the:

State Board of Tax Appeals:

Kristen Wheeler, Term ends January 15, 2025

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

Nays: Peck.

The appointment was confirmed.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2408**, as amended by House Committee, be passed.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Wednesday, April 7, 2021.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

