

# Journal of the House

SIXTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, May 26, 2021, 10:00 a.m.

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

The roll was called with 117 members present.

Rep. Howard was excused on verified illness.

Reps. Arnberger, Donohoe, Helgerson, Jennings, Ohaebosim, Orr and Poetter were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Heavenly Father,  
We stand before You today grateful for who You are  
and for all You have done for each of us.  
Thank you for yet another session through which you have led our leaders.  
A lot has been accomplished and some things didn't get done.  
The good news is nobody got hurt through it all!  
I ask that You be with each of them as they  
return to their regular work and try to get caught up.  
Be with them as they return to families  
and may they have quality time with them to make up  
for time lost during this session.  
Be with them as they reconnect with their constituents.  
May they not just hear what the people say,  
but listen intently so as to better know  
how to work on issues next year.  
Lastly, I leave all of them with Your blessing  
"The Lord bless you  
and keep you;  
the Lord make his face shine on you  
and be gracious to you;  
the Lord turn his face toward you  
and give you peace."  
This I pray in the Name of Christ, Amen.  
(Numbers 6:24-26)

The Pledge of Allegiance was led by Rep. Parker.

**MESSAGES FROM THE GOVERNOR**

May 7, 2021

*Messages to the Kansas House of Representatives:*

Enclosed herewith are Executive Directives No. 21-533 and 21-534 for your information.

EXECUTIVE DIRECTIVES NO. 21-533 and 21-534  
Concerning Authorizing Expenditure of Federal Funds

LAURA KELLY  
*Governor*

**HB 2077, HB 2121, HB 2187** approved on May 17, 2021.

**HB 2137** approved on May 19, 2021.

**HB 2026, HB 2079, HB 2158, HB 2224, HB 2397** approved on May 21, 2021.

**HB 2134, HB 2313** approved on May 24, 2021.

**PERSONAL PRIVILEGE**

There being no objection, the following remarks of Rep. Bishop are spread upon the Journal:

Today it saddens me to say that, even though I have previously flunked retirement...I am going to try it again. I will be retiring as of June 30, 2021. Today is my last day in this Chamber.

Even at a sad time like this, I have so much gratitude to share with you. First and foremost I thank the people in the 88<sup>th</sup> District in southeast Wichita for giving me the opportunity to serve them. I also thank each one of you for the many, many kindnesses I have experienced while serving in the legislature.

My thanks especially to Sue Perry and Berni O'Konek, two of the best office assistants in this building. Their help has been a wonderful amalgam of nurturing and professionalism that has so greatly smoothed the way and truly enabled me to serve the people of the 88<sup>th</sup> District.

I appreciate the efforts of Leadership and the professional staff, including Tom Day and his staff in Legislative Administrative Services, who worked so hard to make sure our session met constitutional standards for our work, yet still had responsible measures to keep us safe. The rapid testing was so crucial.

Now, to my caucus I say thanks for being stalwart, dedicated colleagues and, truly, just such fun people to be around---even if the gathering was too often via Zoom. I would like to call out especially the outstanding young people we have added to our caucus. Their brilliance and passion to accomplish what they were elected to do has inspired me and comforted me. Inspired, because, well frankly, these folks are hard to keep up with. And comforted because they are just so capable and smart. I know the future is safe in their hands.

Actually, it tells me we need to do more to encourage younger folks to run and serve in this body. Younger people, with careers and young families to support, face barriers to serving that we should try to mitigate. The mix of generations serves Kansas best.

The experience of elders PLUS the youthful awareness of new ideas, new technology and a broader world view.

Let's be frank. There were disappointments during my five years serving here. A major one, of course, is that we have yet to expand Medicaid. But hope springs eternal. I have hope that we as a state will accomplish that goal in the near future.

It has been my privilege to serve on some excellent committees. Our speaker pro tempore was chair of the Judiciary Committee when I served on it. He was very generous and helpful to a non-lawyer serving in her first term. Our Chair of Insurance and Pensions was also gracious and fair-minded, not to mention patient with the many technical glitches we faced as we began this unique session.

Lastly, I especially salute the Chair and the Ranking member of the Health and Human Services Committee. Following up on the Mental Health Modernization and Reform interim, also chaired by our colleague from Sedgwick County, the HHS Committee produced great and far-reaching work this year. We passed a bill establishing Certified Community Behavioral Health Centers—CCBHC's. This one innovation will greatly improve mental health services in Kansas. In addition HHS racked up a list of accomplishments: new telemedicine provisions, updated the work of the Behavioral Sciences Regulatory Board, and a good start on implementing Kansas' role in the new national suicide hotline number: 988.

These legislative steps chart progress toward making mental health and addiction treatment more accessible and effective for Kansans who desperately need it.

At one point in time, Kansas enjoyed a stellar reputation in the mental health field, nationally and even internationally. The work of the HHS committee and the Kansas legislature this year will put us back on track to re-capturing that exemplary role.

I will miss this wonderful building, this room, and especially the many wonderful people I have met here. There are several reasons why it is time for me to try retirement once again. Maybe this time I will succeed at it.

## MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 273**.

Announcing the Senate herewith transmits certificate of action by the Senate on **HB 2007**,

AN ACT making and concerning appropriations for fiscal years ending June 30, 2021, June 30, 2022, June 30, 2023, and June 30, 2024, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 75-4209, 75-6702 and 75-6706 and K.S.A. 2020 Supp. 2-223, 12-1775a, 12-5256, 55-193, 65-180, 72-5462, 74-50,107, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections.

The veto message from the Governor having been received, members were given the opportunity to reconsider **HB 2007**. No motion being made, the line item vetoes on 30(c), 80(e), 87(a) and 163(a) were sustained.

Announcing adoption of **SCR 1616**.

Announcing the Senate here with transmits the veto message from the Governor, together with the enrolled copy of **SB 29**, 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., which was received on May 20, 2021 and read on May 26, 2021

**Message from the Governor  
Regarding Veto of Senate Bill 29**

We already know that the solution to provide health care for 165,000 Kansans, bring thousands of jobs to our state, save small businesses money, and inject millions into our economy is to expand Medicaid.

Junk insurance – which does not cover pre-existing conditions or provide consumer protections – is just that: “junk.” Signing this bill would cause more Kansas families to go bankrupt over medical bills. If the Legislature wants to get serious about improving access to health care, they should join 38 other states and the District of Columbia and pass Medicaid expansion.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Bill 29.

Laura Kelly  
Governor  
Dated: May 20, 2021

A motion was made that **SB 29** be passed notwithstanding the Governor's veto. By vote of 28 Yeas and 11 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the Senate, voting in the affirmative, the bill passed.

**CONSIDERATION OF VETO**

On motion of Rep. S. Johnson, the House proceeded to reconsider **SB 29** 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.

The Governor's objection to **SB 29** having been read (HJ Page 1547) question being shall the bill be passed notwithstanding the Governor's veto?

On roll call, the vote was: Failed

A two-thirds majority of the members elected to the House not having voted in favor of the bill over the Governor's veto, the motion did not prevail, the bill did not pass, and the veto was sustained.

On roll call, the vote was: Yeas 67; Nays 48; Present but not voting: 0; Absent or not voting: 10.

Yeas: Anderson, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, B. Carpenter, W. Carpenter, Clark, Collins, Corbet, Croft, Delperdang, Dodson, M., Ellis, Esau, Estes, Fairchild, Finch, Francis, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kessler, Lee-Hahn, Long, Lynn, Mason, Minnix, Murphy, Neelly, Newland, Owens, F. Patton, Penn, Proctor, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Seiwert, Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger,

Waymaster, K. Williams.

Nays: Alcala, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carlson, Carmichael, Clayton, Coleman, Concannon, Curtis, Day, Eplee, Featherston, Finney, Gartner, Haswood, Henderson, Highberger, Hoyer, Kelly, Kuether, Miller, Moser, Neighbor, Ousley, Parker, Poskin, Probst, Proehl, Ruiz, L., Ruiz, S., Samsel, Sawyer, Schreiber, Smith, A., Stogsdill, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Arnberger, Donohoe, French, Helgerson, Howard, Jennings, Landwehr, Ohaebosim, Orr, Poetter.

### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate concurrent resolution was thereupon introduced and read by title:

#### **SCR 1616**

### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

Speaker Ryckman announced the referral of **SCR 1616** to Committee of the Whole.

### **INTRODUCTION OF ORIGINAL MOTIONS**

On emergency motion of Rep. Hawkins, pursuant to House Rule 2311, **SCR 1616** was advanced to Final Action on Bills and Concurrent Resolutions subject to amendment, debate and roll call.

### **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**SCR 1616**, A CONCURRENT RESOLUTION urging the Governor of the State of Kansas to end Federal Pandemic Unemployment Compensation to ensure that businesses do not have to compete with the federal government in attempts to fill thousands of open positions, was considered on final action.

On roll call, the vote was: Yeas 79; Nays 38; Present but not voting: 0; Absent or not voting: 8.

Yeas: Anderson, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Ellis, Eplee, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Owens, F. Patton, Penn, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcala, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Esau, Featherston, Finney, Gartner, Haswood, Henderson, Highberger, Hoyer, Kuether, Miller, Neighbor, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Arnberger, Donohoe, Helgerson, Howard, Jennings, Ohaebosim, Orr, Poetter.

**The resolution was adopted.**

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **Senate Concurrent Resolution 1616**. This resolution will irresponsibly undermine the state's economic recovery and will harm Kansas as we move forward. Additionally, there is a clear double-standard: Republicans are okay giving multinational corporations hundreds of millions of dollars in tax breaks and federal dollars, but when it comes to ordinary Kansans, they pile on the burdens. – TOM SAWYER, STEPHANIE CLAYTON, VALDENIA C. WINN, SUSAN RUIZ, STEPHANIE BYERS, MARI-LYNN POSKIN, LINDA FEATHERSTON, LINDSAY VAUGHN, JENNIFER DAY, ELIZABETH BISHOP, GAIL FINNEY, JOHN CARMICHAEL, BRODERICK HENDERSON, JOHN ALCALA, BRANDON WOODARD, PAM CURTIS, PONKA-WE VICTORS

#### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Croft, **HR 6018**, by Reps. Croft, Anderson, Barker, Bergkamp, Bergquist, Blex, Borjon, Carlson, Carpenter, Carpenter, Clark, Corbet, Delperdang, Dodson, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Howe, Humphries, Jacobs, Johnson, Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Owens, Patton, Penn, Proctor, Proehl, Rahjes, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, Smith, Sutton, Tarwater, Thomas, Toplikar, Waggoner, Wasinger, Wheeler and Williams, as follows, was introduced and adopted on roll call:

**HR 6018**—A RESOLUTION condemning the recent attacks on the State of Israel.

A RESOLUTION condemning the recent attacks on the State of Israel and reaffirming Kansas' support and cooperation with Israel.

WHEREAS, On May 11, 2021, Hamas terrorists launched air strikes on Israel, targeting Israel's capital, Jerusalem, and several other cities across the country; and

WHEREAS, Israel declared independence from Great Britain on May 14, 1948, and upon joining the United Nations, was recognized as an independent nation-state on May 11, 1949; and

WHEREAS, Israel was founded in response to the more than 6,000,000 Jews killed during the horror of the Holocaust and World War II; and

WHEREAS, Since 1948, Israel has faced terrorism and hostility from its neighbors, which continues today; and

WHEREAS, Israel has built a strong democracy, a thriving economy and a diverse cultural life despite the heavy cost of numerous wars, terrorism, international ostracism and economic boycotts; and

WHEREAS, Israel continues to thrive despite continued acts of antisemitism worldwide, including a tragic event in Overland Park in 2014; and

WHEREAS, Israel endeavors to work toward peace with Palestinians and ensure security for Israel's people, neighbors and citizens of the world; and

WHEREAS, The people of Kansas share a connection with the people of Israel and

view Israel as a trusted ally: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we condemn the attacks on the State of Israel and reaffirm Kansas' support and cooperation with Israel; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the Consulate General of Israel in Houston.

On roll call, the vote was: Yeas 83; Nays 27; Present but not voting: 1; Absent or not voting: 14.

Yeas: Anderson, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, Carpenter, B., Carpenter, W., Clark, Clayton, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Johnson, S., Johnson, T., Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Owens, Patton, Penn, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, Williams.

Nays: Alcalá, Amyx, Bishop, Burroughs, Byers, Carmichael, Coleman, Curtis, Day, Featherston, Finney, Haswood, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ousley, Parker, Ruiz, L., Ruiz, S., Stogsdill, Vaughn, Victors, Winn, Xu.

Present but not voting: Samsel.

Absent or not voting: Amberger, Carlin, Donohoe, Gartner, Helgerson, Howard, Jennings, Ohaebosim, Orr, Poetter, Poskin, Probst, Wolfe Moore, Woodard.

#### **REPORT ON ENGROSSED BILLS**

**HB 2224** reported correctly re-engrossed May 7, 2021.

**HB 2134** reported correctly engrossed May 10, 2021.

**HB 2137** reported correctly re-engrossed May 10, 2021.

#### **REPORT ON ENROLLED BILLS**

**HB 2026, HB 2079, HB 2134, HB 2137, HB 2158, HB 2224, S Sub for HB 2313, S Sub for Sub HB 2397** reported correctly enrolled, properly signed and presented to the Governor on May 14, 2021.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6017** reported correctly enrolled and properly signed on May 11, 2021.

The hour for final adjournment having arrived, Speaker Ryckman announced, “By virtue of the authority vested in me, as Speaker of the House of Representatives of the 2021 session, I do now declare the House adjourned sine die.”

JENNY HAUGH, JULIA WERNER, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

