

# Journal of the House

## TWELFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 26, 2022, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Finch in the chair.

The roll was called with 118 members present.

Reps. Bergquist, Finney, Houser and Poetter Parshall were excused on verified illness.

Rep. Winn was excused on legislative business.

Reps. Kessler and Victors were excused on excused absence by the Speaker.

Prayer by Rep. Thomas:

Father God,  
thank You for being with us and within us today.  
God, You are our redeemer, preserver, and friend.  
We ask that You hear our prayers this day  
as we seek to live our lives in obedience to You.  
Be gracious to all who are lawmakers, O God.  
Shower Your mercy on us  
as we continue to take on the challenges of the office.  
In You may we place our trust.  
Keep our consciences clear and our motives pure  
as You guide us in our decisions.  
This I humbly pray in Your Name, Amen

The Pledge of Allegiance was led by Rep. Woodard.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2556**, AN ACT concerning expungement; relating to expungement under the Kansas code of procedure for municipal courts; expungement under the Kansas criminal code; prohibiting denial of a petition for expungement due to the petitioner's inability to pay outstanding costs, fees, fines or restitution; amending K.S.A. 2021 Supp. 12-4516 and 21-6614 and repealing the existing sections, by Committee on Judiciary.

**HB 2557**, AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; expungement of certain offenses; prohibiting denial of a petition for expungement due to the petitioner's inability to pay outstanding costs, fees, fines or restitution; authorizing expungement if the juvenile has not committed an offense in the previous two years; amending K.S.A. 38-2312 and repealing the existing section, by Committee on Judiciary.

**HB 2558**, AN ACT concerning income taxation; relating to Kansas adjusted gross income; providing a subtraction modification for amounts contributed to the board of pharmacy as a donation, gift or bequest supporting the prescription monitoring program; amending K.S.A. 2021 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

**HB 2559**, AN ACT concerning agriculture; creating the Kansas cotton boll weevil program; relating to the powers and duties thereof; requiring the program to levy an assessment upon Kansas-produced cotton in order to monitor and mitigate the risk of boll weevils, by Committee on Agriculture.

**HB 2560**, AN ACT concerning agriculture; relating to the Kansas department of agriculture; extending certain penalties, fees and program expiration dates; amending K.S.A. 82a-708a, 82a-708b, 82a-708c, 82a-714 and 82a-727 and K.S.A. 2021 Supp. 2-1205, 2-1930, 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304 and 2-3306 and repealing the existing sections, by Committee on Agriculture.

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

The following bills were referred to committees as indicated:

Appropriations: **HB 2540, HB 2541, HB 2548.**

Children and Seniors: **HB 2543.**

Elections: **HB 2555.**

Financial Institutions and Rural Development: **HB 2554.**

Health and Human Services: **HB 2544, HB 2545, HB 2546, HB 2552.**

Insurance and Pensions: **HB 2547.**

Judiciary: **HB 2535, HB 2536, HB 2537, HB 2538, HB 2539, HB 2542.**

K-12 Education Budget: **HB 2550, HB 2551, HB 2553.**

Local Government: **HB 2549.**

Redistricting: **HB 2533, HB 2534.**

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

**Sub SB 355**, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143, was considered on final action.

On roll call, the vote was: Yeas 79; Nays 37; Present but not voting: 2; Absent or not voting: 7.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Blex, Borjon, Burris, Carlson, W. Carpenter, Clark, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Hawkins, Helmer, Hoffman, Hoheisel, Howe, Howell, Howerton, Huebert, Humphries, S. Johnson, T. Johnson, Kelly, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neely, Newland, Orr, 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: Alcalá, Amyx, Ballard, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Featherston, Garber, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Meyer, Miller, Neighbor, Ohaebosim, Osman, Ousley,

Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schmidt, Stogsdill, Vaughn, Weigel, Wolfe Moore, Woodard, Xu.

Present but not voting: Highland, Jacobs.

Absent or not voting: Bergquist, Finney, Houser, Kessler, Poetter, Victors, Winn.

The bill passed.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **Sub SB 355** because it makes a mockery of the principle of keeping communities of interest together, because it effectively disenfranchises almost all of my constituents, and because District 1 looks like an elephant.—BOOG HIGHBERGER

MR. SPEAKER: I vote yes on **Sub SB 355**. This process has been transparent from the start. We held dozens of public hearings, traveling the state and putting hundreds of miles on our vehicles visiting committees and gathering public input. For the first time in Kansas history folks could testify in committee from the comfort of their homes. They could also follow along and watch the committee proceedings online in real time. We conducted two days of hearings on this map, even adding extra hearing time when we found documents were delayed in being posted publicly. This process was transparent.—NICK HOHEISEL

MR. SPEAKER: I vote NO on Sub for SB 355. Since August, we have heard from constituents that the Kansas City area should not be divided. This bill strips urban areas of Federal representation and dilutes their voting strength with population declining rural counties, who have drastically different needs. This map is partisanship at its worst and an insult to all those who attended our hearings last year. I urge my colleagues to respect the peoples' interests over partisan political goals. —STEPHANIE CLAYTON

MR. SPEAKER: All power is inherent in the people. This inherent truth from our state constitution guides the redistricting process. The redistricting committee and the committee of the whole have been transparent in trying to accomplish this outcome. The map drawn is fair to all four incumbents, and each of them would have won their district with the election totals in 2020. We have followed the guidelines and listened to the comments of Kansans throughout this process. Ultimately each of us, as representatives, are responsible to our constituents in making decisions on redistricting for the next ten years. I believe we have done that, have been fair and transparent, and I support **Sub SB 355**, the Ad Astra map, that we passed yesterday.—STEVEN HUEBERT, CHARLES E. SMITH

MR. SPEAKER: I vote yes on **Sub SB 355**. Although this map is not my first choice, I am excited for my counties of Anderson, Franklin, and Miami to grow and work more closely alongside our friends and neighbors in Johnson and Wyandotte counties. With the more diverse district, we get better representation.

Leadership and the tone for our next decade starts in this building. We are not a red state or a blue state. But rather, a United State of America. As we strive to lead the world, I hope we all keep at the forefront that what unites us is far more than what divides us. —MARK SAMSEL

MR. SPEAKER: I vote no on **S Sub SB 355**. This map is a textbook definition of racial and partisan gerrymandering, and I simply cannot support a map that blatantly disregards the agreed upon guidelines. People from across the state were clear: Keep the cores of Wyandotte and Johnson county intact. Wyandotte's unique demographics -- from its large disabled population to high numbers of ethnic and racial minorities -- require special consideration. Residents were spurned for the purposes of weakening Democratic strongholds, strengthening the Republican position and diluting the minority vote. This is completely unacceptable.-- TOM BURROUGHS, BRODERICK HENDERSON, JOHN ALCALA, VIRGIL WEIGEL

MR. SPEAKER: Yesterday, I wore my Kansas socks to mark a debate over something very important to the people of Kansas -- the drawing of fair and mindful congressional maps. Today, as we cast a final vote on the Ad Astra 2 map, I wore my Taco, Avocado, and Alien socks -- because putting those three things together makes far more sense than putting Lawrence in the same district as Bird City, or Wyandotte County with Mulberry. I vote no on **S Sub SB 355** -- JASON PROBST

MR. SPEAKER: I vote no on **S Sub SB 355**. There was an overwhelming vocalization from Johnson County residents that was egregiously ignored, dismissed, and silenced during this process. We work on behalf of the public; they deserve to be heard. Hundreds of Kansans from every congressional district submitted testimony demanding Wyandotte and Johnson Counties stay intact at their core because of the strong intra-community ties, ranging from cultural interests to health care access. I cannot support this gerrymandered map because of the inevitable dilution of the minority and Democratic votes. -- BRANDON WOODARD, CINDY NEIGHBOR, JO ELLA HOYE, RUI XU, MARI-LYNN POSKIN, SUSAN RUIZ, LINDA FEATHERSTON, HEATHER MEYER, LINDSAY VAUGHN, DAN OSMAN, JERRY W. STOGSDILL

MR. SPEAKER: I vote no on **S Sub SB 355**. Ad Astra 2 undercuts numerous communities of interest -- racial, ethnic, economic, and others -- and abuses the public trust. Voters should choose their legislators, not the other way around.

Kansans received inadequate opportunity to speak to this map. Ad Astra 2 draws just Lawrence into the Big First, despite not a single member of the public asking for this. Lawrence, exclusively, was cut out with surgical precision and placed into a district with which it has little in common. This makes no logical sense. This will inevitably dilute the Democratic and minority votes in Lawrence.-- BARBARA BALLARD, MIKE AMYX, CHRISTINA HASWOOD

MR. SPEAKER: While there are many issues, I disagree with in this map. It puts two research Universities in one Congressional district, thereby diluting representation in Congress. Therefore, I vote No on **Sub SB 355**. -- SYDNEY CARLIN

MR. SPEAKER: I vote "NO" on **Sub SB 355**. The deliberate placement of our two Tribal Nations in separate Congressional districts is exactly the dilution of communities of interest that violate principles embodied in our United States Constitution and as applied by our Courts. The fact that Jackson County had to be split to achieve this end underscores the egregious nature and illegality of this act. -- VIC MILLER

MR. SPEAKER: For obvious reasons, I considered whether or not I should participate in the vote on **Sub SB 355**. It is a good map for the 87<sup>th</sup> District and our region. I believe it is in the best interests of the 87<sup>th</sup> District for me to participate in this important vote. -- SUSAN ESTES

MR. SPEAKER: I vote no. In spite of very short notice, we got input from over 500 people across the state, not a single one said put Lawrence in the first district. A majority of them said keep the core of Kansas City area together. They also spoke against political gerrymandering. In my time up here, this is the most political gerrymandering map I've ever seen. We did not listen to the people. This also dilutes the votes of minority voters. Mr. Speaker, I must vote no. Let's vote this map down and let's work together to get fair maps. – TOM SAWYER

MR. SPEAKER: I vote no on **Sub SB 355**. Most of us here are trying to do the right thing. There are a few who are here to score political points.

We all heard the quiet part said out loud about how we could manipulate this redistricting map for political advantage. I believe that is exactly what we have done with Ad Astra. A few people drew this map and many who know better have failed to speak out.

We are making a choice today. Let's spend our time working to solve problems. I urge you to reject the Ad Astra map and work for something that is more fair.—CHUCK SCHMIDT

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

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

The following bills were introduced and read by title:

**HB 2561**, AN ACT concerning the Kansas public employees retirement system; eliminating certain level-dollar employer contribution payments; making and concerning appropriations for the fiscal year ending June 30, 2022; authorizing certain transfers from the state general fund to the Kansas public employees retirement fund; amending K.S.A. 2021 Supp. 74-4920 and repealing the existing section, by Committee on Insurance and Pensions.

**HB 2562**, AN ACT concerning insurance; relating to health insurance; providing certain requirements for coverage of screening and diagnostic examinations for breast cancer; amending K.S.A. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Insurance and Pensions.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Thursday, January 27, 2022.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

