

Journal of the Senate

EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 21, 2021, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 38 senators present.
Senators Estes was excused. Senator Pyle was unexcused.

Invocation by Reverend Cecil T. Washington:

Paying For Our Leaders And Peaceful Lives!
Romans 13:1, 1 Timothy 1:1-4, 1Thessalonians 5:17

Heavenly Father, In the United States Capital, here in Kansas, and in capitals all across this land, there are new individuals taking oaths to serve under Your Divine authority.

We find in Romans 13:1 that it is by Your divine providence, that each of these positions is filled. And in 1Timothy 1:1-4, You tell us to pray for our leaders, so that we may live peaceful, quiet, lives; lives that reflect a calm Godly dignity. And ,You give us this very critical directive in 1Thessalonians 5:17. You tell us to “Pray, Without Ceasing!”

But Lord, with all the unrest that we see it seems that we’re not praying enough, or maybe there’s not enough of us praying. Lord, You call us to pray, because the reconciling of differences; the ending of hostilities begins with You. It starts at the top.

So Lord, we look to You! We appeal to You! Give us the wisdom and the guidance to reject ways that injure, and to hold tightly to ways that are Godly. We’re trusting You to take us to that place of peace.

I bring this humble request to You, in the precious Name of Jesus, Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

On motion of Senator Suellentrop, the Senate recessed until the sound of the gavel.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 37, AN ACT concerning insurance; relating to producer licensing requirements; agent conduct; pertaining to examinations; fees; renewal dates; suspension, revocation or denial of licensure; licensure renewal; amending K.S.A. 2020 Supp. 40-241, 40-4902, 40-4903, 40-4905, 40-4909, 40-4912, 40-4915, 40-5505 and 40-5512 and

repealing the existing sections, by Committee on Insurance.

SB 38, AN ACT concerning agriculture; relating to environmental remediation; establishing the Kansas pesticide waste disposal program and the Kansas pesticide waste disposal fund; permitting annual transfers from the Kansas agricultural remediation fund to the Kansas pesticide waste disposal fund; amending K.S.A. 2-3702 and K.S.A. 2020 Supp. 2-3708 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

SB 39, AN ACT concerning agriculture; relating to the Kansas department of agriculture; the division of animal health; license, permit and registration renewal deadlines; calfhood vaccination tag fees; amending K.S.A. 47-1208 and K.S.A. 2020 Supp. 47-1001e, 47-1002, 47-1503, 47-1805, 47-1831 and 47-2101 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

SB 40, AN ACT concerning agriculture; relating to the Kansas department of agriculture division of conservation; implementing the provisions of 2011 executive reorganization order No. 40; amending K.S.A. 2-1916, 49-605, 49-611, 49-613, 49-618, 49-620, 49-623, 82a-1602, 82a-1603, 82a-1607 and 82a-1702 and K.S.A. 2020 Supp. 2-1903, 2-1904, 2-1907, 2-1907c, 2-1908, 2-1915, 2-1930, 2-1931, 2-1933, 49-603, 49-606 and 49-621 and repealing the existing sections; also repealing K.S.A. 49-619, by Committee on Agriculture and Natural Resources.

SB 41, AN ACT concerning insurance; relating to certain health benefit plans; certain prescription drug benefits; establishing a \$100 maximum out-of-pocket cost-share per month per covered person for prescription insulin, by Committee on Federal and State Affairs.

SB 42, AN ACT concerning the department of health and environment; relating to the study and investigation of maternal deaths in the state of Kansas; amending K.S.A. 65-177 and repealing the existing section, by Committee on Federal and State Affairs.

SB 43, AN ACT concerning postsecondary education; relating to the state board of regents; creating the Kansas promise scholarship act and the Kansas promise scholarship program fund, by Committee on Education.

SB 44, AN ACT concerning the state treasurer; relating to the low-income family postsecondary savings accounts incentive program; expanding the program to include military servicemember dependent children; allowing contributions from charitable organizations; amending K.S.A. 75-650 and repealing the existing section, by Committee on Education.

SB 45, AN ACT concerning property taxation; relating to buildings and improvements destroyed or substantially destroyed by natural disaster; amending K.S.A. 79-1613 and repealing the existing section, by Senator Holland.

SB 46, AN ACT concerning income taxation; relating to Kansas adjusted gross income; providing a subtraction modification for amounts received from employer-sponsored retirement plans; amending K.S.A. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

SB 47, AN ACT concerning income taxation; enacting the Kansas taxpayer protection act; relating to paid tax return preparers; requiring a signature and tax identification number on returns and claims; authorizing actions by the secretary of revenue to enjoin certain conduct, by Committee on Assessment and Taxation.

SB 48, AN ACT concerning insurance; relating to health insurance plans; providing requirements for coverage of diagnostic examinations for breast cancer; amending

K.S.A. 2020 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Senator Sykes.

SB 49, AN ACT concerning income taxation; relating to credits; extending the time period and expanding eligibility for the single city port authority credit; amending K.S.A. 79-32,212 and repealing the existing section, by Committee on Assessment and Taxation.

SB 50, AN ACT concerning taxation; relating to marketplace facilitators; requiring the collection and remittance for sales, compensating use and transient guest taxes and prepaid wireless 911 fees made on platforms; removing click-through nexus provisions; amending K.S.A. 79-3702 and repealing the existing section, by Committee on Assessment and Taxation.

SB 51, AN ACT concerning the state department of education and the department for children and families; relating to students in foster care; requiring a Kansas foster care children annual academic report card, by Committee on Education.

SB 52, AN ACT establishing the Sedgwick county urban area nuisance abatement act, by Committee on Ways and Means.

SB 53, AN ACT concerning charter commissions; establishing the membership of the Sedgwick county charter commission, by Committee on Ways and Means.

SB 54, AN ACT concerning civil actions; relating to the protection from abuse act; expanding reasons to extend order; tolling time in prison; amending K.S.A. 2020 Supp. 60-3107 and repealing the existing section, by Committee on Ways and Means.

SB 55, AN ACT concerning the healing arts; relating to healing arts schools; professional services performed thereby; authorization thereof; amending K.S.A. 2020 Supp. 17-2707, 17-7668 and 65-2877a and repealing the existing sections, by Committee on Education.

SB 56, AN ACT concerning human trafficking; relating to notice offering help to victims of human trafficking; requiring certain businesses and public places to post such notice; amending K.S.A. 75-759 and repealing the existing section, by Committee on Judiciary.

SB 57, AN ACT concerning criminal procedure; relating to discharge of persons not brought promptly to trial; suspension and elimination of statutory deadlines; amending K.S.A. 2020 Supp. 22-3402 and repealing the existing section, by Committee on Judiciary.

SB 58, AN ACT concerning liens or claims against real or personal property; relating to prohibitions on certain filings; notice; criminal penalties; amending K.S.A. 2020 Supp. 58-4301 and 58-4302 and repealing the existing sections, by Committee on Judiciary.

SB 59, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; changing terminology; selling sexual relations; promoting the sale of sexual relations; buying sexual relations; amending K.S.A. 68-2255 and K.S.A. 2020 Supp. 21-5401, 21-6328, 21-6419, 21-6420, 21-6421, 21-6422, 22-2515, 22-2530, 22-3901, 22-4902, 22-4906, 38-2202, 38-2287, 41-3111, 41-2601, 60-31a02 and 60-4104 and repealing the existing sections, by Committee on Judiciary.

MESSAGE FROM THE HOUSE

Announcing passage of **SB 14**.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointments submitted to the Senate for confirmation were considered.

Senator Suellentrop moved the following appointments be confirmed as recommended by the Committee on **Confirmation and Oversight**.

By the Governor

On the appointment to the:

Department of Credit Unions:

Vickie Hurt, Term ends December 31, 2021

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

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

Absent or Not Voting: Estes, Hawk, Peck, Pyle.

The appointment was confirmed.

By the Attorney General

On the appointment to the:

Kansas Crime Victims Compensation Board:

Richard Samaniego, Term ends March 15, 2024

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

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

Absent or Not Voting: Estes, Hawk, Peck, Pyle.

The appointment was confirmed.

By the Attorney General

On the appointment to the:

Kansas Crime Victims Compensation Board:

Stuart Hite, Term ends March 15, 2022

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

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

Absent or Not Voting: Estes, Hawk, Peck, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Employment Security Board of Review:

Valorie Jacobs, Term ends March 15, 2023

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

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

Absent or Not Voting: Estes, Hawk, Peck, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

Commander, Kansas Air National Guard:

Chris Ioder

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

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

Absent or Not Voting: Estes, Hawk, Peck, Pyle.

The appointment was confirmed.

By the Board of Healing Arts

On the appointment to the:

State Board of Healing Arts:

Tucker Poling, At the pleasure of the governor

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

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

Absent or Not Voting: Estes, Hawk, Peck, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Corporation Commission:

Andrew French, Term ends March 15, 2024

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hilderbrand, Holland,

Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Estes, Hawk, Peck, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Human Rights Commission:

Christal Watson, Term ends January 15, 2024

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

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

Absent or Not Voting: Estes, Hawk, Peck, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Lottery Commission:

Margaret La Rue, Term ends March 15, 2024

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

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

Absent or Not Voting: Estes, Hawk, Peck, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Lottery Commission:

Pete Brungardt, Term ends March 15, 2022

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

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

Absent or Not Voting: Estes, Hawk, Peck, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Public Employees Retirement Board of Trustees:

James Zakoura, Term ends January 15, 2025

On roll call, the vote was: Yeas 36; Nays 1; Present and Passing 0; Absent or Not Voting 3.

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

Nays: Olson.

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Racing and Gaming Commission:

David Moses, Term ends January 15, 2024

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Racing and Gaming Commission:

Larry Turnquist, Term ends March 15, 2023

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Water Office:

Constance Owen, At the pleasure of the governor

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

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

Warren, Wilborn.

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

Pooled Money Investment Board:

Dennis McKinney, Term ends March 15, 2022

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

Pooled Money Investment Board:

Tracie Thomas, Term ends March 15, 2024

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Tax Appeals:

Thomas Browne, Term ends January 15, 2021

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Civil Service Board:

Thomas Wright, Term ends March 15, 2023

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

Voting 3.

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Mary Berry, Term ends March 15, 2021

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Irvin Mitchell, Term ends March 15, 2023

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Lea Tatum-Haskell, Term ends March 15, 2022

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Leonard Wolfe, Term ends March 15, 2023

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Monte Coffman, Term ends March 15, 2023

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Greg Graves, Term ends March 15, 2024

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Talal Khan, Term ends March 15, 2022

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

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hilderbrand, Holland,

Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Elizabeth King, Term ends March 15, 2022

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Maureen Mahoney, Term ends March 15, 2023

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Robba Moran, Term ends March 15, 2022

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

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

Absent or Not Voting: Estes, Hawk, Pyle.

The appointment was confirmed.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 27** be passed.

Committee on **Judiciary** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Judge, Court of Appeals: K.S.A. 2020 Supp. 20-3020;

Amy Cline, to fill a term expiring on January 9, 2023

Also, begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee reports without recommendation to the Senate such appointment:

By the Governor:

Judge, Court of Appeals: K.S.A. 2020 Supp. 20-3020;

Carl Folsom, III, to fill a term expiring on January 9, 2023

CONSIDERATION OF APPOINTMENTS

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

Senator Suellentrop moved the following appointments be confirmed as recommended by the **Committee on Judiciary**.

By the Governor

On the appointment to the:

Kansas Court of Appeals:

Carl Folsom

On roll call, the vote was: Yeas 18; Nays 17; Present and Passing 3; Absent or Not Voting 2.

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

Nays: Alley, Baumgardner, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Masterson, Olson, Peck, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren.

Present and Passing: Kloos, Petersen, Wilborn.

Absent or Not Voting: Estes, Pyle.

The appointment was not confirmed.

EXPLANATION OF VOTE

Mr. President: We had the opportunity to appoint a man of integrity and an enormously qualified attorney to the bench today. We had the opportunity to choose courage over comfort and appoint someone with a unique, valuable perspective to serve on our appellate court. It is disappointing that this body considers the execution of our constitution to be too unsavory a duty for a well-respected attorney to serve as a judge. And it is damning that participation in constitutionally-guaranteed due process is considered radical activism by some in this chamber. In not confirming Carl Folsom for the second time today, we have failed Kansans and our constitution.—DINAH SYKES

Senator Pettey requests the record to show that she concurs with the Explanation of Vote offered by Senator Sykes.

By the Governor

On the appointment to the:

Kansas Court of Appeals:

Amy Cline, None

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

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, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Hilderbrand

Absent or Not Voting: Estes, Pyle.

The appointment was confirmed.

On motion of Senator Suellentrop, the senate adjourned pro forma until 8:30 a.m. January 22, 2021.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

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