

# Journal of the Senate

THIRTEENTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Thursday, January 28, 2021, 2:30 p.m.

The Senate was called to order by President Ty Masterson.  
The roll was called with 39 senators present.  
Senator Estes was excused.

Invocation by Reverend Cecil T. Washington:

“Finding Protection Under God’s Wings!”  
Psalm 91:1-16, 1 Corinthians 13

Heavenly Father, again we thank You for Your grace; for bestowing upon us blessings that we’d be hard pressed to say we deserve. And thanks for Your kindness in those times when You protect us from some of the stuff that we do deserve. In holding on to Your words, in Psalm 91, it’s comforting to know, that because of Your loving kindness we don’t have to fear the things that would bring us to ruin.

Like a mother hen, protecting her baby chicks, You cover us under Your wings. and we find refuge. Thank You Lord, for not leaving us subjected to the shortcomings of our own frail defenses. Like little baby chicks, becoming reflections of their mother, You’ve created us to become images of You, standing for right and righteousness. Yet, we’re in a world that is challenging; a world that wants to rename right as wrong, and wrong as right.

Lord, let the decisions coming from these halls, that are to bless Your people, be reflections of love and compassion, not as redefined by us, but as well defined by the “Love Chapter” in Your Holy Word, 1Corinthians 13.

In Psalm 91:14-16, You say that if we acknowledge Who You are, calling on You and clinging to You, that You will answer, deliver, honor and satisfy.

As we place our trust in You, bless us with long life, and show us Your salvation. In the precious name of our Lord and Savior, I cry Amen!

The Pledge of Allegiance was led by President Ty Masterson.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**SB 88**, AN ACT concerning cities; relating to the vacation or exclusion of territory or easements; providing procedure to challenge certain decisions of a city; amending K.S.A. 12-504 and 12-505 and repealing the existing sections, by Committee on Local Government.

**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, by Committee on Agriculture and Natural Resources.

**SB 90**, AN ACT concerning the Kansas rural housing incentive district act; permitting the use of bond proceeds for vertical renovations of certain buildings for residential purposes; amending K.S.A. 12-5249 and repealing the existing section, by Committee on Commerce.

**SB 91**, AN ACT concerning economic development; relating to the high performance incentive fund; providing for the transferability of tax credits; amending K.S.A. 79-32, 160a and repealing the existing section, by Committee on Commerce.

**SB 92**, AN ACT concerning health and healthcare; enacting the Kansas equal access act; relating to medical cannabis; providing for the licensure and regulation of the manufacture, transportation and sale of medical cannabis; amending K.S.A. 44-1009, 44-1015, 79-5201 and 79-5210 and K.S.A. 2020 Supp. 8-1567, 21-5703, 21-5705, 21-5706, 21-5707, 21-5709, 21-5710, 21-6109, 23-3201, 38-2269, 44-501, 44-706 and 65-1120 and repealing the existing sections, by Committee on Commerce.

**SB 93**, AN ACT concerning school districts; relating to the allocation of school district moneys for improvement of student academic performance; amending K.S.A. 72-1163 and repealing the existing section, by Committee on Education.

**SB 94**, AN ACT concerning elections; relating to voting systems and procedures; amending K.S.A. 25-1122a, 25-1138 and 25-3006 and K.S.A. 2020 Supp. 25-2810, 25-4401, 25-4404, 25-4406, 25-4412, 25-4603, 25-4611 and 25-4613 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 95**, AN ACT concerning motor vehicles; relating to odometer requirements upon transfer of vehicle; exempting certain odometer certification requirements; amending K.S.A. 2020 Supp. 8-135 and repealing the existing section, by Committee on Transportation.

**SB 96**, AN ACT concerning postsecondary education; relating to residency for purposes of tuition and fees; repealing the provision of residency status for individuals not lawfully present in the United States; amending K.S.A. 76-729 and repealing the existing section; also repealing K.S.A. 76-731a, by Senator Peck.

**SB 97**, AN ACT concerning cemetery corporations; defining purposes of sepulture; amending K.S.A. 17-1310 and K.S.A. 2020 Supp. 17-1301c and repealing the existing sections, by Committee on Local Government.

**SB 98**, AN ACT concerning property taxation; relating to the state board of tax appeals; judicial review, burden of proof in district court; appointments, extending the time a board member may continue to serve after member's term expires; amending K.S.A. 74-2426 and 74-2433 and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 99**, AN ACT concerning the vehicle dealers and manufacturers licensing act; relating to vehicle dealer licensing; increasing the bonding requirement for vehicle dealers; amending K.S.A. 2020 Supp. 8-2404 and repealing the existing section, by Committee on Transportation.

**SB 100**, AN ACT concerning drivers' licenses; relating to certain restrictions; exclusion from the additional 90-day period for suspended or revoked licenses; eligibility for restricted driving privileges; removing and delaying payment for fees that apply to individuals for failure to comply with a traffic citation; amending K.S.A. 2020

Supp. 8-262 and 8-2110 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 8-2110b, by Committee on Transportation.

**SB 101**, AN ACT concerning electric-assisted bicycles; relating to the regulation and approved use thereof; providing for use of certain sizes of motors; amending K.S.A. 8-1437, 8-1439a, 8-1489 and 8-1592b and K.S.A. 2020 Supp. 8-126, 8-128, 8-1402a, 8-1438, 8-1498, 8-2401 and 32-701 and repealing the existing sections, by Committee on Transportation.

**SB 102**, AN ACT concerning the Kansas sexually violent predator act; relating to notice of release of a person who may be a sexually violent predator to the attorney general and multidisciplinary team; time; detention during proceedings; amending K.S.A. 2020 Supp. 59-29a02, 59-29a03 and 59-29a05 and repealing the existing sections, by Committee on Judiciary.

**SB 103**, AN ACT concerning the Kansas power of attorney act; relating to the effectiveness of a power of attorney; exemption of third persons from liability in certain circumstances; amending K.S.A. 58-658 and K.S.A. 2020 Supp. 58-652 and repealing the existing sections, by Committee on Judiciary.

**SB 104**, AN ACT concerning children and minors; relating to the revised Kansas code for care of children; requiring court orders to remain in a present or future placement; amending K.S.A. 2020 Supp. 38-2260 and repealing the existing section, by Committee on Judiciary.

**SB 105**, 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. 2020 Supp. 12-4516 and 21-6614 and repealing the existing sections, by Committee on Judiciary.

**SB 106**, AN ACT enacting the revised uniform law on notarial acts; repealing the uniform law on notarial acts; amending K.S.A. 16-1611, 58-2209 and 58-2211 and K.S.A. 2020 Supp. 25-3602, 25-3902, 25-3902a, 25-3904, 25-3904a, 49-512, 58-652 and 58-4403 and repealing the existing sections; also repealing K.S.A. 53-101, 53-102, 53-103, 53-104, 53-105, 53-105a, 53-106, 53-107, 53-109, 53-113, 53-114, 53-115, 53-116, 53-117, 53-119, 53-120, 53-501, 53-502, 53-503, 53-504, 53-505, 53-506, 53-507, 53-508, 53-510 and 53-511 and K.S.A. 2020 Supp. 53-118, 53-121 and 53-509, by Committee on Judiciary.

**SB 107**, AN ACT enacting the uniform fiduciary income and principal act; repealing the uniform principal and income act (1997); amending K.S.A. 2020 Supp. 58a-103 and repealing the existing section; also repealing K.S.A. 58-9-101, 58-9-102, 58-9-103, 58-9-104, 58-9-201, 58-9-202, 58-9-301, 58-9-302, 58-9-303, 58-9-401, 58-9-402, 58-9-403, 58-9-404, 58-9-405, 58-9-406, 58-9-407, 58-9-408, 58-9-410, 58-9-411, 58-9-412, 58-9-413, 58-9-414, 58-9-415, 58-9-501, 58-9-502, 58-9-503, 58-9-504, 58-9-506, 58-9-601, 58-9-602 and 58-9-603 and K.S.A. 2020 Supp. 58-9-105, 58-9-106, 58-9-409, 58-9-505 and 58-9-606, by Committee on Judiciary.

**SB 108**, AN ACT concerning veterans; relating to the veterans benefit lottery game; disposition of net profits; directing certain disbursements from the lottery operating fund; establishing the veterans benefit lottery game fund; amending K.S.A. 74-8711 and 74-8724 and repealing the existing sections, by Senator Pittman.

**SB 109**, AN ACT concerning veterans; relating to the Kansas commission on veterans affairs office; requiring the director to submit an initial application for a state

veterans home construction grant to the United States department of veterans affairs, by Senator Pittman.

**SB 110**, 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 and the department of administration, by Senator Pittman.

**SB 111**, AN ACT concerning income taxation; relating to deductions; providing a Kansas itemized deduction for wagering losses; amending K.S.A. 79-32,120 and repealing the existing section, by Senator Pittman.

**SB 112**, AN ACT concerning sales taxation; relating to exemptions, farm products sold at farmers' markets; amending K.S.A. 79-3606 and repealing the existing section, by Senator Pittman.

**SB 113**, AN ACT concerning the regulation of traffic; relating to distracted driving violation; prohibiting the use of a wireless telecommunications device while operating a motor vehicle; amending K.S.A. 2020 Supp. 8-2118 and repealing the existing section; also repealing K.S.A. 2020 Supp. 8-15,111, by Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION No. **SCR 1604**—

By Committee on Judiciary

PROPOSITION to amend section 5 of article 1 of the constitution of the state of Kansas, allowing for a petition process to call the legislature into special session during a state of disaster emergency.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 5 of article 1 of the constitution of the state of Kansas is hereby amended to read as follows:

**"§ 5. Governor's duties for legislature; messages; special sessions; adjournment.** The governor may, on extraordinary occasions, call the legislature into special session by proclamation; and shall call the legislature into special session, upon petition signed by at least two-thirds of the members elected to each house *or, during a state of disaster emergency as provided by law, upon petition signed by at least 5,000 qualified voters of the state. For a petition submitted by voters during a state of disaster emergency, petitioners shall file the signed petition with the secretary of state, who shall have seven days to determine if the petition contains the requisite number of valid signatures and to notify the governor of such determination.* At every session of the legislature the governor shall communicate in writing information in reference to the condition of the state, and recommend such measures as ~~he~~ *the governor* deems expedient. In case of disagreement between the two houses in respect of the time of adjournment, the governor may adjourn the legislature to such time as ~~he~~ *the governor* deems proper, not beyond its next regular session."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to allow the voters of the state to require the governor to call the legislature into special session during a state of disaster emergency through a petition process.

"A vote for this proposition would amend the Kansas constitution to provide the voters of the state the ability to require the governor to call the legislature into special session during a state of disaster emergency by submitting a petition signed by at least 5,000 qualified voters to the secretary of state. Currently, a special session of the legislature may only be called by the governor on extraordinary occasions or upon petition signed by at least two-thirds of the members elected to each house.

"A vote against this proposition would not amend the constitution, in which case the voters would not have the ability to require the governor to call the legislature into special session."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at a special election, which is hereby called on November 2, 2021, pursuant to section 1 of article 14 of the constitution of the state of Kansas, to be held in conjunction with any general election as provided by law to be held on such date.

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

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 87**.

Financial Institutions: **SB 86**.

#### **COMMITTEE OF THE WHOLE**

On motion of Senator Suellentrop, 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.

On motion of Senator McGinn the following report was adopted:

**HCR 5003** be adopted.

A motion by Senator Pettey to amend **SB 5003** failed and the following amendment was rejected: on page 1, in line 22, by striking all after "abortion"; in line 23, by striking all before the period; also in line 23, after the period by inserting "The constitution of the state of Kansas does not secure a right to abortion, except for those cases where a mother's life is in jeopardy and for victims of rape or incest."

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

On roll call, the vote was: Yeas 11; Nays 27; Present and Passing 0; Absent or Not Voting 2.

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, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Billinger, Estes.

The amendment was rejected.

A motion by Senator Doll to amend **SB 5003** failed and the following amendment was rejected: on page 2, in line 21, by striking "August 2, 2022" and inserting "November 2, 2021"; in line 22, by striking "primary" and inserting "general".

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

On roll call, the vote was: Yeas 11; Nays 26; Present and Passing 1; Absent or Not Voting 2.

Yeas: Doll, Faust-Goudeau, Francisco, Hawk, Holland, Holscher, Peck, Pettey, Pittman, Sykes, Ware.

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

Present and Passing: Haley.

Absent or Not Voting: Billinger, Estes.

The amendment was rejected.

A motion by Senator Francisco failed and the following amendment was rejected: on page 1, in line 33, after "would" by inserting "change the Bill of Rights in the Kansas constitution to"; in line 34, by striking "to require" and inserting "requirement for";

On page 2, in line 4, after "would" by inserting "change the Bill of Rights in the Kansas constitution to"; in line 5, by striking the second "to"; in line 6, by striking "require" and inserting "requirement for"; in line 8, after "abortion" by inserting ", including, but not limited to, in circumstances of pregnancy resulting from rape or incest, or when necessary to save the life of the mother"; in line 10, after the comma by inserting "including the preservation of no requirement for the government funding for abortion"; in line 11, by striking all before "the" and inserting "would allow"; in line 12, by striking all after the comma; in line 13, by striking all before the period and inserting "to regulate abortion as long as the state establishes a compelling state interest and the regulations are narrowly tailored to promote that interest".

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

On roll call, the vote was: Yeas 11; Nays 27; Present and Passing 0; Absent or Not Voting 2.

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, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Billinger, Estes.

The amendment was rejected.

The committee rose and reported progress.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

On motion of Senator Suellentrop an emergency was declared by a 2/3 majority, and **HCR 5003** was advanced to Final Action and roll call.

**HCR 5003**, A PROPOSITION to amend the bill of rights of the constitution of the state of Kansas by adding a new section thereto stating that there is no constitutional right to abortion, and reserving to the people the ability to regulate abortion through the elected members of the legislature of the state of Kansas.

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

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

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

Absent or Not Voting: Estes.

A two-thirds constitutional majority having voted in favor of the resolution, **HCR 5003** was adopted.

**EXPLANATION OF VOTE**

Mr. President: As a mother of three daughters, it is incomprehensible to me that this body would not do everything in its power to make sure that if they were in a difficult situation that they were not being pressured or coerced into having an abortion. If the abortion industry is about empowering girls and women to make fully informed decisions, then they should be supporting this amendment, not opposing the most basic regulations at every turn. I am voting yes on Value Them Both because all women deserve at the very least the dignity and respect of someone looking out for their best interest.—MOLLY BAUMGARDNER

Mr. President: I support **HCR 5003** because I am pro-life and believe that life should be protected womb to tomb, because every person is a child of God. I also believe people do not lose that status, regardless of their journey in life. Government should never be in charge of dictating when an individual dies.—CAROLYN MCGINN

Mr. President: All Kansas women considering whether to undergo an abortion, including those women in the most difficult of pregnancies and circumstances, deserve at the very least informed consent about the procedure, clinic licensing and a duly-qualified medical professional who will perform the procedure. I support the Value Them Both Amendment because, among other reasons, it ensures that Kansans, through their duly elected Representatives and Senators, can preserve and enact those and other safeguards for women's health.—KELLIE WARREN

Senators Erickson and Gossage request the record to show they concur with the "Explanation of Vote" offered by Senator Warren on **HCR 5003**.

MR. PRESIDENT: I vote "NO" on **HCR 5003**. This legislature has been given both the opportunity and the responsibility to pass concurrent resolutions to allow the voters of Kansas to amend their Kansas Constitution. I take that responsibility seriously. I will not support this measure that would allow a majority of the voters who turn out for an

election scheduled on the date of a primary election to restrict the natural right for personal autonomy of women, including women in circumstances of pregnancy resulting from rape or incest, or when necessary to save the life of the mother. I am also concerned that, for that vote, a majority of Senate members rejected the amendment that would modify the explanatory statements to that are printed on the ballot. In particular, in describing “A vote against” the language printed will be that such vote would restrict the people, through their elected state legislators, from regulating abortion when in fact, such vote would allow the people to regulate abortion as long as the state establishes a compelling state interest and the regulations are narrowly tailored to promote that interest. We should be truthful with the voters in presenting the amendment.—MARC FRANCISCO

Senator Haley requests the record to show that he concurs with the “Explanation of Vote” offered by Senator Francisco on **HCR 5003**.

Mr. President: I vote “NO” on **HCR 5003**. I consider myself to be both pro-life and pro-choice. I have always respected my friends, family, and legislative colleagues who have different opinions on this issue. However, the Constitutional amendment addresses a difficult, highly moral decision which I believe the government should not make on behalf of women. This issue becomes even more important when we look at the wording of our Kansas Constitution and the Bill of Rights. Our Bill of Rights states, “All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness.” I believe our Supreme Court was correct in recognizing that the term “men” includes women, that those rights for everyone include personal autonomy, and that personal autonomy extends to decisions about pregnancy. I believe that the Legislature still retains appropriate authority to regulate health care when there is a compelling state interest. However, I cannot support this amendment because of my deep belief in maintaining the basic rights guaranteed by the Kansas Constitution.—TOM HAWK

Senators Francisco and Pettey request the record to show they concur with the “Explanation of Vote” offered by Senator Hawk on **HCR 5003**.

Madam President: I vote NO on HCR 5003 as I believe it could be exploited to severely restrict a woman’s constitutional right to bodily autonomy.—TOM HOLLAND

Senator Francisco and Haley request the record to show they concur with the “Explanation of Vote” offered by Senator Holland on **HCR 5003**.

Mr. President: I vote “NO” on **HCR 5003**. Champions of this amendment have created a dichotomy that allows proponents to claim moral superiority over legislators attempting to address complicated realities faced by everyday Kansans. If we really valued the lives of women, those who are pregnant, infants, and children, we would provide universal early childhood education programs to Kansas families, which radically improve a child’s chances of succeeding mentally, emotionally, and economically in life. And though some in this chamber don’t want to hear it, we would expand Medicaid, which would provide affordable healthcare to 165,000 vulnerable Kansans. Instead, we are weaponizing fear and emotion to control our fellow Kansans. This is a mistake and we will regret this politically craven vote.—DINAH SYKES

Senators Francisco and Pettey request the record to show they concur with the “Explanation of Vote” offered by Senator Sykes on **HCR 5003**.



Mr. President: I vote "NO" on **HCR 5003**. We have an opportunity to put basic protections for case where the life of the mother are in jeopardy, and it is a tragedy we are not putting those in this resolution when modifying the most sacred law of our land, our Kansas Constitution.—JEFF PITTMAN

#### COMMITTEE OF THE WHOLE

The Senate returned to Committee of the Whole with Senator McGinn in the chair.

On motion of Senator McGinn the following report was adopted:

**HCR 5001; SR 1705** be adopted.

**SR 1705** be amended by motion of Wilborn; on page 18, in line 16, after "Vote" by inserting "; Food and Drink"; in line 17, by striking "use of telephones and the"; in line 18, by striking "are" and inserting "is"; in line 24, after "recorders" by inserting ", cellular devices used as a video recording device"; also in line 24, after "prohibited" by inserting ", except for the official live feed of Senate proceedings or as granted by permission of the President. Flash photography and the possession of food or drink in the galleries is prohibited"; the amendment was adopted.

Amendments offered by Senator Hawk and Senator Sykes were not adopted.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Suellentrop an emergency was declared by a 2/3 majority, and **HCR5001; SR 1705** were advanced to Final Action and roll call.

**HCR 5001**, A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2021-2022 biennium.

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

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

Absent or Not Voting: Doll, Estes.

**HCR 5001** was adopted.

**SR 1705**, A RESOLUTION adopting rules for the Senate of the State of Kansas for the terms of the Senators commencing with the 2021 regular session of the Legislature.

On roll call, the vote was: Yeas 35; Nays 3; Present and Passing 0; Absent or Not Voting 2.

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

Nays: Francisco, Holland, Pittman.

Absent or Not Voting: Doll, Estes.

**SR 1705** was adopted, as amended.

**MESSAGE FROM THE HOUSE**

Announcing adoption of **HCR 5005**.

Announcing passage of **HB 2008, HB 2022, HB 2026**.

**INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS**

**HB 2008, HB 2022, HB 2026; HCR 5005** were thereupon introduced and read by title.

**REPORTS OF STANDING COMMITTEES**

Committee on **Agriculture and Natural Resources** recommends **SB 39** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Also, **SB 40** be amended on page 9, in line 21, before "or" by inserting ", gift"; also in line 21, by striking "otherwise" and inserting "donation"; in line 25, after the second "agencies" by inserting "subject to the authority of the authorizing state or federal agency"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **SB 15** be amended on page 2, in line 1, after "purposes" by inserting "with not more than 100 full-time employees maintaining offices or operating facilities and transacting business in the state of Kansas"; in line 15, after the comma by inserting "having at least one branch in the state of Kansas and"; following line 36, by inserting:

"(d) The legislature shall perform a review of the program as a part of the state treasurer's annual report on or after January 1, 2024.";

On page 3, in line 13, after "business" by inserting "in Kansas";

On page 4, in line 11, by striking all after "for"; in line 12, by striking all before "a"; also in line 12, after "of" by inserting "time not to exceed"; also in line 12, after "years" by inserting "and that is";

On page 12, in line 18, after "estate" by inserting "loans"; also in line 18, after "means" by inserting "loans made on"; in line 19, after "products" by inserting "and that:

(A) Have maturities of not less than five years and not more than 40 years;

(B) are secured by a first lien interest in real estate, except that the loans may be secured by a second lien interest if the institution also holds the first lien on the property; and

(C) have an outstanding loan balance when made that is less than 85% of the appraised value of the real estate, except that a loan for which private mortgage insurance is obtained may exceed 85% of the appraised value of the real estate to the extent the loan amount in excess of 85% is covered by such insurance"; and the bill be passed as amended.

Committee on **Insurance** recommends **SB 29** be amended on page 2, in line 31, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 53** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Ways and Means** recommends **SB 1, SB 16** be passed and, because

the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Suellentrop, the senate adjourned pro forma until 8:30 a.m. January 29, 2021.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

