

# Journal of the Senate

FIRST DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Monday, January 10, 2022, 2:00 p.m.

President Ty Masterson called the 2022 session of the Kansas Senate to order. Roll was called by district with 40 senators present. The President introduced Doug Henkle, to deliver the invocation:

Heavenly Father, I praise and thank you for this Body you have brought together in this new year of 2022. Thank you for each Senator here, each one brought to this chamber, not by accident or luck, but by your Divine appointment to be about the business of the State of Kansas.

I pray you bless each Senator today and throughout this legislative session with Your wisdom and insight as they debate the legislation before them. I lift up President Masterson, Majority Leader Alley, and Minority Leader Sykes to You. Give them Your direction as they lead this chamber.

I pray for unity and friendly relations as the issues of the day are argued and resolved. I pray for our Governor. Give her Your wisdom and Your direction as she leads the executive branch of our state's government.

Father, bless and protect the families of the members of this chamber as they are separated from one another much of the time during the session. I pray the time they do have with loved ones is rich and filled with warmth and gracious support.

Lord, we ask for Your peace in this chamber and thank You for the hope we have in You. In Jesus' Name, Amen.

The Pledge of Allegiance was led by President Masterson.

## **INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS**

Senators Masterson, Alley and Sykes introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1722—

A RESOLUTION relating to the organization of the Senate.

*Be it resolved by the Senate of the State of Kansas:* That the Secretary of the Senate notify the House of Representatives that the Senate is organized with the following officers:

Ty Masterson, president,  
Rick Wilborn, vice president,  
Larry Alley, majority leader,

Dinah Sykes, minority leader,  
 Corey Carnahan, secretary,  
 Don Cackler, sergeant at arms,  
 and awaits the pleasure of the House of Representatives.  
 On emergency motion of Senator Alley **SR 1722** was adopted unanimously.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**SB 316**, AN ACT concerning zoning and planning; relating to the regulation of group homes in an area zoned for single family dwellings; authorizing regulations to establish a minimum distance between such group homes; amending K.S.A. 2021 Supp. 12-736 and repealing the existing section, by Senator Faust-Goudeau.

**SB 317**, AN ACT concerning drivers' licenses; authorizing certain individuals with revoked licenses to be eligible for restricted driving privileges; amending K.S.A. 2021 Supp. 8-2110 and repealing the existing section, by Senator Faust-Goudeau.

**SB 318**, AN ACT concerning sales and compensating use tax; relating to exemptions; providing an exemption for reconstructing, repairing or replacing certain fencing damaged or destroyed by wildfires; amending K.S.A. 79-3606d and repealing the existing section, by Senators Bowers, Billinger and Tyson.

**SB 319**, AN ACT concerning property taxation; relating to delinquent taxes; requiring judicial foreclosure public auctions to be conducted in person at a physical location in the county; amending K.S.A. 79-2804 and repealing the existing section, by Senator Haley.

**SB 320**, AN ACT concerning evidence-based programs; making and concerning appropriations for the fiscal year ending June 30, 2022, for the department of corrections, by Joint Committee on Corrections and Juvenile Justice Oversight.

**SB 321**, AN ACT concerning the revised Kansas juvenile justice code; prohibiting the use of restraints during hearings; authorizing exceptions if the court holds a hearing and makes certain findings on the record; amending K.S.A. 38-2302 and 38-2353 and repealing the existing sections, by Joint Committee on Corrections and Juvenile Justice Oversight.

**SB 322**, AN ACT concerning state property; relating to the sale of surplus real estate; eliminating the crediting to the Kansas public employees retirement fund of 80% of the proceeds from such sale; amending K.S.A. 75-6609 and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

## MESSAGES FROM THE GOVERNOR

May 26, 2021

*To the Senate of the State of Kansas:*

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY  
 Governor

*Member, Public Employee Relations Board, Jonathan Gilbert, Dodge City, (U),*

pursuant to the authority vested in me by KSA 75-4323, to serve a term of four years, to succeed himself.

*Member, Kansas Development Finance Authority*, Moniqueka Holloway, Wichita (D), pursuant to the authority vested in me by KSA 74-8903, to serve a term of four years to succeed Craig Scott Anderson.

*Member, State Banking Board*, Taylor Hight, Riverton, (D), pursuant to the authority vested in me by K.S.A. 74-3004, effective upon the date of confirmation by the Senate, to serve a term of three years, to succeed Casey Lair.

June 16, 2021

*To the Senate of the State of Kansas:*

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY  
*Governor*

*Regent, Kansas Board of Regents*, Wint Winter, Jr., Lawrence, (R), pursuant to the authority vested in me by KSA 74-3202a, to serve a term of four years, to succeed Helen Van Etten.

*Member, Kansas Board of Regents*, Dr. Cynthia Lane, Kansas City, (D), pursuant to the authority vested in me by KSA 73202a, to serve a term of four years, to succeed Ann Brandau-Murguia.

*Member, Kansas Board of Regents*, Carl Ice, Manhattan, (R), pursuant to the authority vested in me by KSA 74-3202a, to serve a term of four years, to succeed Shane Bangarter.

June 18, 2021

*To the Senate of the State of Kansas:*

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY  
*Governor*

*Shawnee County Attorney Member, State Board of Indigents' Defense Services*, Michelle Ewert, Topeka, (D) pursuant to the authority vested in me by KSA 22-4519, and effective upon the date of confirmation by the Senate, to serve a term of three years, to succeed Ronald Wurtz.

September 2, 2021

*To the Senate of the State of Kansas:*

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

JANUARY 10, 2022

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LAURA KELLY  
*Governor*

*Johnson County Attorney Member, State Board of Indigents' Defense Services*, Braden Perry, Mission Hills, (R) pursuant to the authority vested in me by KSA 22-4519, and effective upon the date of confirmation by the Senate, to serve a term of three years, to succeed himself.

*Public Member, KU Hospital Authority Board of Directors*, Jack Newman, Leawood, (R) pursuant to the authority vested in me by KSA 76-3304, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed himself.

*Attorney Member, State Board of Indigents' Defense Services*, Laurel Michel Driskell, Salina, (R), pursuant to the authority vested in me by KSA 22-4519, and effective upon the date of confirmation by the Senate, to serve a term of three years, to succeed herself.

*Member, Kansas Development Finance Authority*, Chris Donnelly, Tonganoxie, (R), pursuant to the authority vested in me by KSA 74-8903, to serve a term of four years, to succeed himself.

*Public Member, KU Hospital Authority Board of Directors*, Debbie Wilkerson, Leawood, (R), pursuant to the authority vested in me by KSA 76-3304 and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed Donna Thomas.

*Member, Kansas Development Finance Authority*, Jon Small, Topeka, (U), pursuant to the authority vested in me by KSA 74-8903, to serve a term of four years, to succeed Nancy Toelkes.

*Brigadier General, Kansas National Guard*, Col. Jason Nelson, Oskaloosa, (U) pursuant to the authority vested in me by KSA 48-208 and KSA 75-4315b, and effective upon the date of confirmation by the Senate, to the rank of Brigadier General.

September 24, 2021

*To the Senate of the State of Kansas:*

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY  
*Governor*

*Member, Kansas Human Rights Commission*, Jill Geren, Wichita, (U), pursuant to the authority vested in me by KSA 44-1003, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed Bobby Cox.

*Member, KPERS Board of Trustees*, Jo Yun, Prairie Village, (D) pursuant to the authority vested in me by KSA 74-4905, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed Kelly Arnold.

November 19, 2021

*To the Senate of the State of Kansas:*

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY  
Governor

*Director, Kansas Commission on Veterans Affairs Office*, General Bill Turner, Manhattan, (R), pursuant to the authority vested in me by KSA 73-1208e, and effective upon the date of confirmation by the Senate, to serve at the pleasure of the Governor, to succeed Gregg Burden.

*Member, State Board of Tax Appeals*, Devin Sprecker, Osage City, (R), pursuant to the authority vested in me by KSA 74-2433, and effective upon the date of confirmation by the Senate, to serve a term of four years, to fill a vacant seat.

*Member, Kansas Racing and Gaming Commission*, Sheryl Spalding, Overland Park, (R), pursuant to the authority vested in me by K.S.A. 74-8803, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed John Myres.

November 22, 2021

*To the Senate of the State of Kansas:*

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY  
Governor

*Member, Public Employee Relations Board*, Pat Young, Kansas City, (D), pursuant to the authority vested in me by KSA 75-4323, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed Michael Ryan.

## COMMUNICATIONS FROM STATE OFFICERS

January 10, 2022

The Honorable Ty Masterson  
President, Kansas Senate  
State Capitol  
Topeka, Kansas 66612

Dear President Masterson:

During the 2021 Interim, I received the reports and communications listed below. This list will appear in the January 10, 2022 Senate Journal:

- Annual Report of the Pooled Money Investment Board
- State Board of Indigents' Defense Service Annual Report for FY 2020
- State Board of Indigents' Defense Service Annual Report for FY 2021
- Governmental Ethics Commission Annual Report
- Report of the Kansas Criminal Justice Reform Commission
- Kansas Development Finance Authority Annual Report
- Adjutant General's Report on COVID-19 Expenditures and Distributions
- Kansas Juvenile Justice Oversight Committee Annual Report
- Annual Report of the Kansas State Child Death Review Board

- Johnson County Education Research Triangle Annual Report
- Emergency Medical Services Board Annual Report
- State Treasurer's Report to the Governor and the Legislature

From the Office of Governor Laura Kelly:

- Executive Orders 21-23 through 22-02
- Executive Directives 21-535, 21-540 through 21-545 authorizing the expenditure of federal funds
- Executive Directives 21-546, 21-547 authorizing personnel transactions
- Executive Directives 21-536 through 21-539 authorizing personnel transactions and the expenditure of federal funds

Sincerely,

Corey Carnahan  
*Secretary of the Senate*

The President announced that these reports are on file and available from the Secretary of the Senate.

**INTRODUCTION OF GUESTS**

President Masterson introduced Dr. Jennifer McKenney, President of the Kansas Academy of Family Physicians. Dr. McKenney is a family physician in her hometown of Fredonia. In addition to her service in the community, Dr. McKenney was named the 2021 Rural Health Practitioner of the Year. The Academy sponsors the doctor of the day program and provides daily assistance for health concerns here in the Capitol.

**MESSAGE FROM THE HOUSE**

Announcing adoption of **HR 6020**, a resolution relating to the organization of the 2022 House of Representatives and selection of the following officers:

- Ron Ryckman, Speaker of the House
- Blaine Finch, Speaker Pro Tem
- Dan Hawkins, Majority Leader
- Tom Sawyer, Minority Leader
- Susan Kannarr, Chief Clerk
- Foster Chisholm, Sgt. At Arms

and awaits the pleasure of the Senate.

Announcing adoption of **HCR 5020**, a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2022 session of the Legislature is duly organized and ready to receive communication. The Secretary of the Senate and Chief Clerk of the House were appointed as to wait upon the Governor.

Announcing adoption of **HCR 5021**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor and for the purpose of hearing a message from the Supreme Court.

The following escorts are appointed for the State of the State:

To escort the Governor: Representatives Hoheisel, Hawkins and Ohaebosim

To escort the Lt. Governor: Representatives Tarwater, Williams and Woodard

To escort the Supreme Court: Representatives Finch, Patton and Ballard

To escort the Senate: Representatives Owens, Landwehr and Amyx

For the State of the Judiciary

To escort the Supreme Court: Representatives Ralph, Barker and Byers

To escort the Senate: Representatives Arnberger, Concannon and Susan Ruiz

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

**HCR 5020, HCR 5021**, were thereupon introduced and read by title.

On emergency motion of Senator Alley, **HCR 5020** and **HCR 5021** were adopted by voice vote.

President Masterson appointed the following escorts for the State of the State:

To escort the Governor: Senators Gossage and Pettey;

To escort the Lt. Governor: Senators Erickson and Holland;

To escort the Supreme Court: Senators Warren and Corson;

President Masterson appointed the following escorts for the State of the Judiciary:

To escort the Supreme Court: Senators Warren and Haley

On motion of Senator Alley, the senate adjourned pro forma until 8:00 a.m. January 11, 2022.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

