

Journal of the House

NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 22, 2021, 8:30 a.m.

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

The roll was called with 124 members present.
Rep. Weigel was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker,

Gracious and loving God,
we come before you today
grateful for your blessings.
Already, early in this session there are
difficult decisions to be made.
We are reminded that Your Word encourages us to
“...approach *Your* throne with grace and confidence,
so that we may receive mercy and find grace
to help us in our time of need.”
Your Word also instructs us that
“if *anyone* lacks wisdom, *they* should ask God,
who gives generously to all without finding fault,
and it will be given to *them*.”
So, we boldly come to You today asking for your
mercy, grace, wisdom, guidance and direction.
I ask this in Christ’s Name, Amen.
(Hebrews 4:16, James 1:5)

The Pledge of Allegiance was led by Rep. Esau.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2113, AN ACT concerning the governor's office; establishing the advisory commission on Asian-American Pacific Islander affairs; composition thereof; appointment of members; powers and duties, by Representative Xu.

HB 2114, AN ACT concerning the legislature; establishing the Kansas senior care task force; prescribing topics of study; membership; meeting requirements; records; report, by Committee on Children and Seniors.

HB 2115, AN ACT concerning the legislature; relating to children and minors; the safety and well-being of children in the child welfare system in the state of Kansas; establishing the joint committee on child welfare system oversight; prescribing duties and membership thereof; requiring an annual report to the legislature, by Committee on Children and Seniors.

HB 2116, AN ACT concerning children and minors; relating to child care assistance eligibility and requirements; exempting certain adults from the 20-hour-per-week work requirement; amending K.S.A. 2020 Supp. 39-709 and repealing the existing section, by Committee on Children and Seniors.

HB 2117, AN ACT concerning taxation; relating to income tax, rates; sales and compensating use tax, providing for sales tax exemptions for food and food ingredients and feminine hygiene products, authorizing local sales tax on food and food ingredients; amending K.S.A. 79-32,110, 79-3602 and 79-3606 and K.S.A. 2020 Supp. 12-189a and repealing the existing sections, by Representative Highberger.

HB 2118, AN ACT concerning campaign finance; relating to political advertisements; amending K.S.A. 2020 Supp. 25-4156 and repealing the existing section, by Committee on Elections.

HOUSE CONCURRENT RESOLUTION No. **HCR 5007**—
By Representatives Fairchild and Collins

HCR 5007—A PROPOSITION to amend article 14 of the constitution of the state of Kansas by adding a new section thereto; relating to the powers of initiative and referendum.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate 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: Article 14 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 3. Initiative and referendum powers. (a) (1) The people reserve the power to propose and enact or reject amendments to this constitution by initiative, independent of the legislature.

(2) An initiative amendment to this constitution may be proposed only by a petition signed by not less than 10% of the qualified electors who voted in the last preceding gubernatorial election.

(3) An initiative petition shall be filed with the secretary of state not less than 120 days prior to the election at which the proposed amendment is to be voted upon and not more than 360 days after such petition was approved pursuant to subsection (d).

(4) An initiative petition shall include the full text of the proposed amendment to this constitution. A proposed amendment shall not contain more than one subject, and the enacting clause thereof shall be "Be it resolved by the people of the State of Kansas:".

(5) The title of each proposed amendment to this constitution shall be specified in the initiative petition and shall be a brief nontechnical statement expressing the intent or purpose of the proposed amendment and the effect of a vote for and a vote against the proposed amendment.

(6) When more than one proposed amendment to this constitution is submitted at the same election, such proposed amendments shall be so submitted as to enable the electors to vote on each proposed amendment separately.

(7) One amendment to this constitution may revise any entire article, except the article on general provisions, and in revising any article, the article may be renumbered and all or parts of other articles may be amended, or amended and transferred to the article being revised.

(8) Not more than five amendments proposed by initiative shall be submitted at the same election.

(b) (1) Notwithstanding the provisions of section 1 of article 2 of this constitution, the people reserve the power to propose and enact or reject laws by initiative, independent of the legislature.

(2) An initiative law may be proposed only by a petition signed by not less than 5% of the qualified electors who voted in the last preceding gubernatorial election.

(3) An initiative petition shall be filed with the secretary of state not less than 120 days before the election at which the proposed law is to be voted upon and not more than 360 days after such petition was approved pursuant to subsection (d).

(4) An initiative petition shall include the full text of the proposed law. A proposed law shall not contain more than one subject, and the enacting clause thereof shall be "Be it enacted by the people of the State of Kansas:".

(5) The title of each proposed law shall be specified in the initiative petition and shall be a brief nontechnical statement expressing the intent or purpose of the proposed law and the effect of a vote for and a vote against the proposed law.

(6) When more than one proposed law is submitted at the same election, such proposed law shall be so submitted as to enable the electors to vote on each proposed law separately.

(7) An initiative petition that requires the appropriation of moneys shall only require the appropriation of moneys directly attributable to revenues collected pursuant to the provisions of the petition, and the purpose of such appropriation shall not otherwise be prohibited by this constitution.

(c) (1) The people reserve the power to approve or reject by referendum any bill enacted by the legislature, except as otherwise provided in this subsection.

(2) A referendum on a bill, or any part thereof, may be ordered by a petition signed by not less than 5% of the qualified electors who voted in the last preceding gubernatorial election.

(3) A referendum petition shall be filed with the secretary of state not more than 120 days after the final adjournment of the session of the legislature at which the bill was passed.

(4) A referendum petition shall not be allowed on any part of a bill:

(A) Necessary for the immediate preservation of the public peace, health or safety; or

(B) making or repealing any appropriation of moneys.

(5) A referendum ordered by petition on a part of a bill shall not delay the remainder of the bill from becoming effective.

(6) A referendum on a bill may be ordered by the legislature by law.

(7) Notwithstanding section 14 of article 2 of this constitution, a bill ordering a referendum and a bill on which a referendum is ordered shall not require the signature of the governor or be subject to veto by the governor.

(d) (1) Before an initiative or referendum petition may be circulated for signatures, a draft of such petition shall be submitted to the secretary of state in the form in which such petition will be circulated for signatures. Upon submission of a draft petition to the secretary of state, the name and address of an individual shall be provided to the secretary of state as the individual to whom any notices shall be sent. The secretary of state shall transmit a copy of the draft petition to the attorney general for review. The secretary of state and the attorney general shall each review the draft petition for sufficiency as to form, approve or reject the form of the draft petition and state the reasons for rejection, if any.

(2) Upon receipt of a draft petition from the secretary of state, the attorney general shall examine the draft petition as to form. The attorney general shall send notice of approval or rejection of the draft petition to the secretary of state within 10 days after receipt of the draft petition.

(3) The secretary of state shall review the notice of approval or rejection of the attorney general and make a final decision as to the approval or rejection of the form of the draft petition. The secretary of state shall send written notice of such approval or rejection, including the reasons for rejection, to the individual designated to receive notices within 30 days after submission of the draft petition.

(e) All elections on initiative and referendum measures shall be held at the regular general elections in even-numbered years, unless otherwise ordered by the legislature pursuant to subsection (c)(6).

(f) Notwithstanding any provision of this constitution to the contrary, an initiative or referendum measure shall become effective 30 days after the day on which it is enacted or approved by a majority of the votes cast thereon. When conflicting measures are approved at the same election, the one receiving the largest affirmative vote shall prevail.

(g) The provisions of this section shall be self-executing, but legislation may be enacted to facilitate its implementation."

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

"Explanatory statement. This amendment would allow the people to propose and enact or reject amendments to the constitution of the state of Kansas by initiative, independent of the legislature. This amendment would also allow the people to propose and enact or reject laws by initiative, independent of the legislature. Finally, this amendment would allow a referendum on any bill

enacted by the legislature, either by petition from the people or by order of the legislature by law. A referendum petition would not be allowed on any part of a bill necessary for the immediate preservation of the public peace, health or safety or any part of a bill making or repealing any appropriation.

"A vote for this proposition would reserve to the people the power to propose and enact or reject laws and amendments to the constitution of the state of Kansas by initiative, independent of the legislature, and the power to approve or reject by referendum any bill enacted by the legislature.

"A vote against this proposition would not make any changes to the constitution and would not reserve the powers of initiative and referendum to the people."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate 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 the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Agriculture: **HB 2102, HB 2103.**

Appropriations: **HB 2094, HB 2101.**

Commerce, Labor and Economic Development: **HB 2097, HB 2112.**

Corrections and Juvenile Justice: **HB 2092.**

Education: **HB 2085, HB 2086.**

Elections: **HB 2090.**

Federal and State Affairs: **HB 2087, HB 2088, HB 2089, HB 2108.**

Insurance and Pensions: **HB 2110, HB 2111.**

Judiciary: **HB 2093, HB 2095, HB 2096, HB 2098, HB 2099, HB 2109, HCR 5006.**

Local Government: **HB 2100.**

Taxation: **HB 2091, HB 2099, HB 2104, HB 2105, HB 2106.**

Transportation: **HB 2100, HB 2107.**

COMMUNICATIONS FROM STATE OFFICERS

From the Office of Governor Laura Kelly:

Executive Directive No. 21-529, Authorizing Expenditure of Federal Funds.

From: Elaine Frisbie, Kansas Board of Regents, in accordance with KSA 76-717, the 2020 Report on Exceptions to the Minimum Admission Standards at State Universities.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hawkins, **HCR 5003** was advanced to Final Action on Bills and Concurrent Resolutions, subject to amendment and debate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hawkins, pursuant to House Rule 2311, House Rule 1704, Violation of Rules While Speaking, be suspended for the purpose of allowing designated members to speak more than twice on **HCR 5003**, those members being: Rep. Humphries and Rep. Clayton.

Roll call was demanded on motion of Rep. Probst to amend **HCR 5003** on page 2, in line 20, by striking all after "at"; by striking all in lines 21 and 22; in line 23, by striking all before the period and inserting "the general election in the year 2022"

On roll call, the vote was: Yeas 40; Nays 84; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Donohoe, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Houser, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, 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.

Present but not voting: None.

Absent or not voting: Weigel.

The motion of Rep. Probst did not prevail.

Also, on motion of Rep. Carmichael to amend **HCR 5003**, Rep. Arnberger requested a ruling on the amendment being germane to the resolution. The Rules Chair ruled the amendment not germane.

Rep. Carmichael challenged the ruling of the Rules Chair, the question being "Shall the Rules Chair be sustained?" The Rules Chair was sustained.

Also, roll call was demanded on motion of Rep. Ballard to amend **HCR 5003** on page 1, in line 22, by striking "and" and inserting ". The constitution of the state of Kansas"; in line 23, after "abortion" by inserting ", except for circumstances of pregnancy resulting from rape or incest or circumstances where the mother's life is in danger"; in line 26, by striking all after "abortion"; by striking all in lines 27 and 28; in

line 29, by striking all before the period; in line 34, after the first "abortion" by inserting ", except in the case of rape, incest or circumstances where the mother's life is in danger,";

On page 2, in line 1, by striking all after "abortion"; by striking all in line 2; in line 3, by striking all before the period; in line 5, after "abortion" by inserting ", except in the case of rape, incest or circumstances where the mother's life is in danger."

On roll call, the vote was: Yeas 38; Nays 86; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neely, Newland, Orr, Owens, F. Patton, Penn, Poetter, 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.

Present but not voting: None.

Absent or not voting: Weigel.

The motion of Rep. Ballard did not prevail.

Also, on motion of Rep. Miller to amend **HCR 5003**, the motion did not prevail.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

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, was considered on final action.

On roll call, the vote was: Yeas 86; Nays 38; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neely, Newland, Orr, Owens, F. Patton, Penn, Poetter, 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, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Weigel.

The resolution was adopted.

EXPLANATIONS OF VOTE

MISTER SPEAKER: While the outcome of today's debate is not surprising, the path to which the Majority achieved the result are disappointing. Just eleven days ago, the People's House of Representatives stood here and swore an oath to the Kansas Constitution. Today, we are here re-writing it because of a disagreement with a co-equal branch of government.

Unlike today's resolution which does nothing to prevent unplanned pregnancies, I hope you will advance legislation that is proven to prevent unexpected pregnancies: expanding Medicaid, investing in mental health, universal coverage of contraception, and comprehensive, age-appropriate sexual education. I vote NO on **HCR 5003**. – BRANDON WOODARD

MR. SPEAKER: I vote no on **House Concurrent Resolution 5003** because a constitutional right should not be subject to a popular vote. That is why it is called a right. – ELIZABETH BISHOP

MR. SPEAKER: I vote NO on **HCR 5003** because I trust women.--BOOG HIGHBERGER, JOHN CARMICHAEL, JARROD OUSLEY

MR. SPEAKER: I vote no on **House Concurrent Resolution 5003**. Individuals in the United States and Kansas have the right to a safe, legal abortion. A popular vote on this right risks medically unnecessary restrictions on healthcare that could leave doctors wasting time determining whether the best method to save a life violates the law. Lawmakers shouldn't interfere between physicians and their patients. Our role is to protect the safety of patients by ensuring that the practice of medicine is well regulated and improve access to prenatal and postpartum care. We must not deprive Kansans of the Constitutional right to personal autonomy by unjustly singling out abortion. - JO ELLA HOYE, JIM GARTNER, JERRY STOGSDILL, MIKE AMYX, KC OHAEBOSIM, RUI XU, JOHN ALCALA, CINDY NEIGHBOR, L. E. RUIZ, GAIL FINNEY

MR. SPEAKER: As a clinical social worker, I must defend human rights. This does not only mean the rights of men. This amendment will strip away women's reproductive rights and everyone knows it. This is nothing but a political move. I know that to be true because of the hypocrisy I have witnessed since we began this session. The President of the Senate spoke about "individual rights" when deciding to wear a mask. I sit in the gallery where many refuse to wear a mask but voted "yes" to this amendment. I guess "individual rights" doesn't apply to women. If that is hypocrisy, I don't know what is. – SUSAN RUIZ

MR. SPEAKER: I vote no on **House Concurrent Resolution 5003**. As a mother and a person of faith, I know the value of life. This bill doesn't end abortion. It ends safe, state regulated abortions. This endangers pregnant people's lives. If we really want to end abortion, we need to address violence against those that can become pregnant and access to appropriate and affordable health care. Additionally, this bill discriminates against pregnant people by limiting their ability to receive complete medical care. I do not vote for discriminate. – LINDA FEATHERSTON

MR. SPEAKER, I vote yes on **HCR 5003**. I believe the Value Them Both Amendment is a step in the right direction, since it would get the Kansas Supreme Court out of the abortion issue. However, I believe that we should do far more. I don't believe that those of us who are pro life should be content with simply regulating abortion. Rather, our goal should be to abolish abortion entirely. That's what I'll continue to push for over the next two years. – BRETT FAIRCHILD, MICHAEL MURPHY, TATUM LEE-HAHN, DAVID W. FRENCH

MR. SPEAKER, I vote no on **House Concurrent Resolution 5003**. As the mom of seven children, I will not vote for a DEATH SENTENCE for any of my daughters or daughters-in-law who might tragically develop a life-threatening condition during pregnancy. Nor would I strip my granddaughters' parents of their right to make decisions regarding these girls' well-being should, God forbid, the horror of a rape also result in the trauma of a childhood pregnancy. Like the majority of my constituents, I don't believe legislators or voters should insert themselves into the physician-patient relationship. Instead, I support evidence-based best practices that are proven to reduce abortion rates.–MARI-LYNN POSKIN

MR. SPEAKER, I vote no on **HCR 5003**, for the following: I am looking forward to perhaps working on legislation that provides the funding for education and care for the reproductive rights of the citizens of Kansas. I would prefer to live in a state, and in a country, where reproductive decisions are mine, and mine alone to make. I have a right to these choices. I will be defending that right for myself and others by voting no on this bill today. – JENNIFER DAY, LINDSAY VAUGHN, BRODERICK HENDERSON

MR. SPEAKER, I proudly cast my vote in the Affirmative on **HCR 5003**. The Kansas Supreme Courts 2019 Hodes decision was an odious denial of justice for the unborn. Any appeal to 'personal autonomy' that facilitates the death of another human being is invalid and inhumane. Any court ruling that will lead to taxpayers of all persuasions having to fund abortion through their tax money is deeply immoral. To merely return Kansas abortion law to where it was in 2018 is, frankly, the least we could do. Strict scrutiny? I say let the voters of 2022 scrutinize the legal and moral irrationality of the Kansas Supreme Court! – PAUL WAGGONER, BILL RHILEY

MR. SPEAKER: I vote NO on **HCR 5003**. As a distinctly unique individual in this chamber, as one who has been blessed to seeing life through a man's eyes, but with a woman's heart, I believe that people who can become pregnant should have the right to personal body autonomy. For these reasons, I vote NO. – STEPHANIE BYERS

MR. SPEAKER: I vote no on **House Concurrent Resolution 5003**. This bill is too extreme for Kansas. Stripping the rights of bodily autonomy is an all-out attack on women with no exceptions for the horrors of rape, incest, or saving the life of the mother. Furthermore, putting this constitutional amendment on the August ballot will absolutely deny the rights of ALL Kansans to voice their opinion. This is purely a political maneuver by Republicans to refuse women their rights to make their own decisions. These very personal and private decisions ought to be between a woman, her doctor, and God. - TOM SAWYER, SYDNEY CARLIN

Mr. Speaker: I vote yes, because I trust women and men in Kansas to make the decision if there is a right to abortion in the Kansas Constitution. The Constitution, by the way, that was ratified by a vote of the citizens of Kansas. If we sit idly by, women and babies will be harmed. I trust that Kansans want to protect the rights of all women in Kansas – born and unborn women. Give them that choice. – SUSAN HUMPHRIES, KRISTEY WILLIAMS, BRENDA LANDWEHR, SUSAN ESTES, BARBARA WASINGER

MR. SPEAKER: I vote no on **HCR 5003**. This resolution goes out of its way to say to pregnant Kansans whose lives are in danger that the members of this legislature reserve the right to deny them lifesaving care. It does so in support of so called “protections” previously passed. I place the lives of pregnant Kansans ahead of condescending font size mandates. Mr. Speaker, I vote no. – BRETT PARKER

MR. SPEAKER: I vote, "Yes" on HCR 5003. The rights that have been given to us by our Creator God are meant to be defended and honored for the prosperity and protection of future generations. This should assure us that the people of Kansas who enjoy and possess equal and inalienable natural rights such as Life, Liberty, and the pursuit of Happiness, should be upheld and defended by this Legislative body through the "Value Them Both Amendment." The will and voices of Kansans should be heard as they make the choice for themselves who will represent the values, they have personally placed upon their owns lives. – TREVOR JACOBS

MR. SPEAKER: I vote no today on **HCR 5003**. This language grants too great a power to the legislature, under the pretense of allowing Kansans to vote. Yet the question is placed on an August primary, when turnout historically is less than half of most general elections. By doing so, the majority party is in effect disenfranchising more than 550,000 unaffiliated voters in its attempt to amass unchecked power through a small and select group of voters. A compromise resolution crafted in good faith and offered in a general election in the only acceptable way to significantly alter the constitution. –JASON PROBST

MR. SPEAKER: I vote Yes on **HCR 5003**. Working toward passage of “Value Them Both” was the initial reason I ran for the House of Representatives. Providing Kansas citizens the opportunity to affirm a fundamental right to life for all Kansans through the Value Them Both Amendment to the Kansas Constitution reflects legislative prudence

and fulfills an obligation we have to our constituents. Kansans have the right to decide. Passage of “Value Them Both” assures that the governance of life issues remains in the hands of the citizens of our great state. I am privileged to cast my vote in favor of “Value Them Both.” – LISA M. MOSER

MR. SPEAKER: I vote YES on **HCR 5003**. The right to life is the preeminent of all rights. Without life, no (other) right can be exercised or enjoyed. Section 1 of the Kansas Constitution's Bill of Rights, in which “life” is the first of the expressly enumerated “equal and inalienable natural rights,” recognizes this. I will support the natural and fundamental right to “life” which Section 1 of our Bill of Rights broadly protects. —JESSE BURRIS

MR. SPEAKER – I vote yes to protect human life in Kansas which has been endangered by an errant "finding" by our state supreme court. Their decision attempts to redefine the words right to life to mean a "right to kill life". Now the people will have a chance to once again protect the inalienable right to life in our Constitution. – JOHN TOPLIKAR

MR. SPEAKER: I vote no on House Concurrent Resolution 5003. My district is home to many smart young individuals who have a uterus. As one of those young individuals I must speak on their behalf. Our rights should not be put on a ballot, we are smart enough to make decisions that impact our future, and we should continue to have that choice as a constitutional right. Many young individuals who are of childbearing capabilities will not get a chance to vote come to this being on the 2022 ballot. I stand by my constituents and their futures and vote no to **HCR 5003**. – CHRISTINA HASWOOD

MR. SPEAKER: I vote yes today for **HCR 5003**. I stand for the protection of all Kansans, both standing and those not yet born. That is my sworn duty as a member of this body. I will not waiver. Thank you, Mr. Speaker. – EMIL BERGQUIST

MR. SPEAKER: I voted yes on **HCR 5003**. This was a question of what the words of the constitution mean. The question was brought about by a court decision. It is not the courts constitution nor the legislatures constitution, it is the peoples constitution. So the answer to the question should come from the people. Therefore, I voted yes to put it on the ballot so Kansans can vote. – CARL TURNER

MR. SPEAKER: I vote NO on **HCR 5003** because it will not accomplish the goal of reducing abortions in Kansas, it denies women the ability to manage their own healthcare and to have total control over their own bodies, I also vote no because of the supporters of this bill's hypocritical refusal to support the sanctity of life by expanding Medicaid, by refusing to support bills to reduce deaths from gun violence and to support health protocols designed to keep Kansans healthy and alive during this pandemic. This HCR was about politics NOT life. – JERRY STOGSDILL

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2008** be passed.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 1, by Representative Shannon Francis, honoring LaVon Holt on her 96th birthday.

Request No. 2, by Representative Joe Seiwert, honoring Anne Stockemer on her 100th Birthday and life accomplishments.

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

REPORT ON ENGROSSED BILLS

HR 6004 reported correctly engrossed January 21, 2021.

REPORT ON ENGROSSED RESOLUTIONS

HCR 5001 reported correctly engrossed January 21, 2021.

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 2119, AN ACT concerning education; creating the student empowerment act; providing education savings accounts for students who are academically at-risk; amending K.S.A. 72-5134 and 79-32,117 and repealing the existing sections, by Committee on K-12 Education Budget.

HB 2120, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; sexual battery; removing spousal exception; amending K.S.A. 2020 Supp. 21-5505 and repealing the existing section, by Committee on Judiciary.

HB 2121, AN ACT concerning crimes, punishment and criminal procedure; relating to defendants who abscond from supervision; definitions; amending K.S.A. 75-5217 and K.S.A. 2020 Supp. 22-2202 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2122, AN ACT enacting the supported decision-making agreements act; relating to decision-making assistance for adults; amending K.S.A. 2020 Supp. 21-5417 and repealing the existing section, by Committee on Federal and State Affairs.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Monday, January 25, 2021.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

