

# Journal of the Senate

TWENTY-SEVENTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Wednesday, February 17, 2021, 2:30 p.m.

The Senate was called to order by President Ty Masterson.  
The roll was called with 39 senators present.  
Invocation by Reverend Cecil T. Washington:

“Absent From The Body; Present With The Lord!”  
2 Corinthians 5:1-11, Matthew 25:21

Heavenly Father, as Your servants, we are gathering again today to be used by You in the service of Your people. But in the process Lord, we find that You’ve pulled one from our midst. When the roll is called in this place, our brother, Bud Estes, won’t be answering. Because You have called that faithful servant home to be with You.

When it comes to people of faith, Your Word says, in 2 Corinthians 5:1-11, “Absent from the body, present with the Lord.” When we die and leave this earthly body, we will have an eternal body made for us by You, and not by any human devices. And while we grow weary in these present bodies that are dying, we look forward to putting on new incorruptible bodies that will never die. And as a guarantee to Bud, and to all who have faith in You, You’ve given us Your Holy Spirit to settle and confirm our faith.

So Lord, while we’re here, dwelling in these bodies, remind us that our ultimate goal is to be pleasing You. So, remind us of the awesome responsibility that we have. for we must all face You one day, to receive whatever we deserve. And along with Bud, and so many of the faithful, we want to hear from You the words in Matthew 25:21, “Good and faithful servant, Well done!”

Lord, let the confidence expressed in these lyrics reflect our faith; “When the saved diverse shall gather, over on the other shore; And the roll is called up yonder, I’ll be there!”

Please comfort Bud’s wife Renae, his family and those of us who are missing his presence.

Lord, I come to You in the precious Name of Jesus, Amen!

The Pledge of Allegiance was led by President Masterson.

## POINT OF PERSONAL PRIVILEGE

Senator Peck rose on a Point of Personal Privilege to share the following comments: Today, America lost one of the great ones. At the age of 70, Rush Limbaugh lost his battle with lung cancer. The thoughts and prayers of many go out to his wife Katherine, his brother David and the rest of Rush’s family. Rush launched a national radio show in

August of 1988 – the month I turned 29 years of age. His radio program not only saved many AM stations, but it gave voice to freedom-loving Americans across the United States. Many who listened to Rush in the early days quickly became “Dito-heads”. And businesses, primarily restaurants, in many locations set aside “Rushrooms” where fans could enjoy a meal and listen to Rush’s radio show. Millions of conservatives daily attended the Limbaugh Institute of Advance Conservative Studies – I was one of those. Rush inspired many ordinary Americans to get involved in local issues, local politics, and state and federal politics by running for office. I was one of those whom Rush inspired to become involved. In April of 1991 I was elected to my local school board. At that time (31 years of age), I had no idea or aspirations of becoming a State Senator – but here I am. A year ago this month, on February 4, 2020, President Trump honored Mr. Limbaugh when he presented him with the highest civilian honor – The Presidential Medal of Freedom. Rush and his talent will be missed. However, Rush frequently said he had, “Talent on loan from GOD.” Today, February 17, 2021, God asked for Rush to give that talent back. Who will he choose to give it to next? Rest in Peace Mr. Limbaugh, rest in peace...

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

The following bills were introduced and read by title:

**SB 259**, AN ACT concerning workers compensation; providing for admission of a healthcare provider’s medical report as testimony of the healthcare provider without necessity of other foundational evidence; amending K.S.A. 2020 Supp. 44-516 and repealing the existing section, by Committee on Ways and Means.

**SB 260**, AN ACT concerning political advertising; relating to endorsement of candidates and office holders; amending K.S.A. 2020 Supp. 25-4156 and repealing the existing section, by Committee on Ways and Means.

**SB 261**, AN ACT concerning the Kansas asbestos control program; establishing the asbestos remediation fund; specifying the expenditure of moneys therefrom; crediting certain fees and penalties therein; amending K.S.A. 65-5309 and 65-5314 and repealing the existing sections, by Committee on Ways and Means.

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

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 252**, **SB 253**, **SB 254**, **SB 255**, **SB 256**, **SB 257**, **SB 258**.

Public Health and Welfare: **SB 248**, **SB 251**.

Ways and Means: **SB 249**, **SB 250**.

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

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

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

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with

Senator Bowers in the chair.

On motion of Senator Bowers the following report was adopted:

**SB 60, SB 88, SB 103, SB 107** be passed.

An amendment was offered by Senator Haley on **SB 60**. A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment not germane.

**SB 52, SB 85** be amended by the adoption of the committee amendments, and the bills be passed as amended.

### CONSIDERATION OF APPOINTMENTS

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

Senator Alley moved the following appointment be confirmed as recommended by the **Committee on Public Health and Welfare**.

*By the Governor*

On the appointment to the:

*University of Kansas Hospital Authority:*

Kevin Lockett, Term ends March 15, 2023

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claey's, Corson, Dietrich, Doll, 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.

The appointment was confirmed.

### FINAL ACTION ON CONSENT CALENDAR

**SB 67, SB 118** having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

**SB 67**, AN ACT concerning motor vehicles; relating to all-terrain vehicles and recreational off-highway vehicles; expanding the definitions thereof; amending K.S.A. 2020 Supp. 8-126 and 8-1402a and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claey's, Corson, Dietrich, Doll, 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.

The bill passed.

**SB 118**, AN ACT concerning municipalities; relating to the dissolution of special districts and assumption of responsibilities by cities or counties.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claey's, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand,

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

Nays: Pyle.

The bill passed.

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Judiciary** recommends **SB 8** be passed.

Also, **SB 204** 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 **Transportation** recommends **SB 95, SB 99** 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 Alley, the Senate adjourned until 2:30 p.m., Thursday, February 18, 2021.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

