

Journal of the Senate

TENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 25, 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 Alley and Estes were excused.

Invocation by Reverend Cecil T. Washington:

Prayer; Connecting Earthly Matters To Heavenly Concerns!
Isaiah 55:9, Romans 12:2, Jeremiah 18:1-9

Heavenly Father, thank You for this time of prayer, when we take a moment to connect time to eternity and to relate matters that are earthly to concerns that are Heavenly.

You said in Isaiah 55:9, that just as the heavens are higher than the earth, Your ways are higher than ours, and Your thoughts higher than ours, all the more reason that we need this prayer connection.

So, Lord as we pray, help us rise above the normal. Even when taking us higher gets uncomfortable. Show us the principles that are rooted in Your will vs the preferences rooted in self will.

You said in Romans 12:2 that we're not to let ourselves be conformed or pressed into copying worldly patterns of thinking but we're to let You alter our thinking so as to meet Your approval.

Lord, help us to remember, that the few days of authority that we have are just being loaned to us; borrowed from You, and accountable as to how we use them. And although some of the people have given us their approval, we're answerable first and foremost to You.

You are God of all creation; God of the universe and God of these United States. You are God of all those that govern. So Lord, as the potter in Jeremiah 18:1-9 shapes, molds, and reshapes the clay to conform it to His liking, do that with us.

After all has been said and done, when we look back upon these days, and stand before Your throne, Lord, we want to hear words that denote Your approval.

This prayer is uttered in the precious Name of Jesus, Amen!

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 61, AN ACT concerning education; relating to the tax credit for low income students scholarship program act; expanding student eligibility for the program; amending K.S.A. 2020 Supp. 72-4352, 72-4354 and 72-5178 and repealing the existing

sections, by Committee on Education.

SB 62, AN ACT concerning schools; relating to student vision screenings and the standards therefor; establishing the Kansas children's vision health and school readiness commission; amending K.S.A. 72-6241 and 72-6242 and repealing the existing sections, by Committee on Education.

SB 63, AN ACT concerning education; providing ACT college entrance exams and workkeys assessments to nonpublic school students; notification thereof; report to the legislature; amending K.S.A. 2020 Supp. 72-5179 and repealing the existing section, by Committee on Education.

SB 64, AN ACT concerning postsecondary education; relating to the regulation of private and out-of-state educational institutions by the state board of regents; certificates of approval; student protections; rules and regulations; amending K.S.A. 74-32,162, 74-32,163, 74-32,164, 74-32,165, 74-32,167, 74-32,168, 74-32,169, 74-32,170, 74-32,171, 74-32,172, 74-32,173, 74-32,175, 74-32,177, 74-32,178, 74-32,181, 74-32,182, 74-32,184, 74-32,194, 74-32,417 and 74-32,419 and repealing the existing sections, by Committee on Education.

SB 65, AN ACT concerning economic development; relating to the high performance incentive fund; workforce training program participation requirements; amending K.S.A. 74-50,133 and 79-32,160a and repealing the existing sections, by Committee on Commerce.

SB 66, AN ACT concerning economic development; relating to the Kansas angel investor tax credit act; qualified securities; tax credit limitations and amounts; investor requirements; qualified Kansas business designation requirements; bioscience businesses; program expiration date; amending K.S.A. 74-8132, 74-8133 and 74-8136 and repealing the existing sections, by Committee on Commerce.

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, by Committee on Transportation.

SB 68, AN ACT concerning motor vehicles; relating to distinctive license plates; establishing a fee for firefighter license plates; amending K.S.A. 2020 Supp. 8-1,155 and repealing the existing section, by Committee on Transportation.

SB 69, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the love, Chloe foundation license plate, by Committee on Transportation.

SB 70, AN ACT concerning sales taxation; relating to exemptions from the sales or selling price; making exemption of certain cash rebates on sales or leases or new motor vehicles permanent; excluding discounts and coupons from the sales or selling price; amending K.S.A. 79-3602 and repealing the existing section, by Committee on Assessment and Taxation.

SB 71, AN ACT concerning taxation; relating to income and privilege tax; credits; establishing an Eisenhower foundation contribution credit, by Committee on Assessment and Taxation.

SB 72, AN ACT concerning property taxation; relating to county appraisers, qualifications and appraisal courses for registered mass appraiser designation; state board of tax appeals, appraisal course requirements; appraisal courses approved by the real estate appraisal board; amending K.S.A. 74-2433 and K.S.A. 2020 Supp. 19-430 and 19-432 and repealing the existing sections, by Committee on Assessment and

Taxation.

SENATE CONCURRENT RESOLUTION No. **SCR 1603**—
By Senator Hilderbrand

A PROPOSITION to amend article 11 of the constitution of the state of Kansas by adding a new section thereto, concerning the state highway fund in the state treasury.

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: Article 11 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 14. State Highway Fund. (a) On and after July 1, 2022, moneys shall be appropriated, expended or transferred from the state highway fund that is established and maintained in the state treasury only as follows:

- (1) To cities on the state highway system for transportation projects;
 - (2) for the construction, improvement, reconstruction and maintenance of the state highway system;
 - (3) for improvements in transportation programs to aid elderly persons, persons with disabilities and the general public;
 - (4) for any purpose specified pursuant to a comprehensive transportation program;
 - (5) for the support and maintenance of the department of transportation;
 - (6) for the expenses of administering the motor vehicle registration and drivers' license laws; and
 - (7) for the payment of losses to department of transportation employees authorized pursuant to law.
- (b) Under no circumstances shall moneys be transferred from the state highway fund or appropriated or expended from the state highway fund for any purpose not provided for in this section.
- (c) The legislature may enact laws to carry out the purposes of this section."

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 prevent transfers and limit expenditures from the state highway fund to only those items related to transportation set forth in the amendment.

"A vote for this proposition would provide that moneys credited to the state highway fund would only be used for those purposes set forth in the amendment as prescribed by law.

"A vote against this proposition would make no changes in current law concerning

the state's finances."

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 the general election 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

Insurance: **SB 14**.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Upon the authority of the President, the Vice President referred **SB 61** to the Committee on **Education**.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 60** from the Committee on **Insurance**, and referred the bill to the Committee on **Judiciary**.

MESSAGES FROM THE GOVERNOR

SB 14 has been signed. (January 25, 2021)

REPORT ON ENROLLED BILLS

SB 14 reported correctly enrolled, properly signed and presented to the Governor on January 25, 2021.

On motion of Senator Suellentrop, the Senate adjourned until 2:30 p.m., Tuesday, January 26, 2021.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

