

# Journal of the Senate

## NINTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Friday, January 21, 2022, 9:00 a.m.

The Senate was called to order by President Ty Masterson.

Roll was called with 35 senators present.

Senators Hawk, Holland, Longbine, Suellentrop and Ware were excused.

President Masterson introduced Doug Henkle to deliver the invocation:

Good morning, Heavenly Father! Thank You for all You've done for us. You've blessed us with all we need, even today and in this chamber as the matter at hand is debated. In Your word You guide us saying "Trust in the LORD with all your heart and lean not on your own understanding; in all your ways submit to Him, and He will make your paths straight." Lord, we have a tendency to trust ourselves rather than You, to rely on our own abilities and good intentions instead of Your sovereign goodness and loving care.

Father, You care about all the details of our lives including the issue before this legislative body this morning. You care about every word spoken. Cause this body to strive for resolution where there's conflict, to know when to give way and when to hold the line, to listen twice as much as they speak and may they listen well.

I pray for Your peace today which is far beyond our understanding. I ask that You give each Senator wisdom as they argue their position. I lift up President Masterson, Vice President Wilborn, Majority Leader Alley and Minority Leader Sykes to You. Give them Your direction as they lead this chamber. I pray that at the end of the day the deliberations in this chamber would lead to sound decisions that would honor You, blessing all Kansans. In Jesus' Name, Amen.

The Pledge of Allegiance was led by President Masterson.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**SB 369**, AN ACT concerning taxation; relating to income, privilege and premium taxes; establishing the Kansas affordable housing tax credit act; providing a tax credit for qualified low-income housing projects, by Committee on Federal and State Affairs.

**SB 370**, AN ACT concerning the Kansas national guard; creating the defend the guard act; establishing when the national guard may be released into active duty combat; prohibiting COVID-19 vaccination requirements for national guard members, by Committee on Federal and State Affairs.

**SB 371**, AN ACT concerning traffic regulations; relating to driving privileges; revoking the authority to suspend driving privileges for the nonpayment of fines from

traffic citations; amending K.S.A. 2021 Supp. 8-2106 and 8-2110 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 372**, AN ACT concerning education; relating to the state school for the deaf; prohibiting the dismissal or transfer of a student who gains access to hearing, by Committee on Federal and State Affairs.

**SB 373**, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2022, for the university of Kansas medical center; relating to conducting COVID-19 clinical trials at the midwest stem cell therapy center, by Committee on Public Health and Welfare.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 358**.

Assessment and Taxation: **SB 359**.

Commerce: **SB 361**.

Education: **SB 362**, **SB 363**.

Federal and State Affairs: **SB 360**.

Judiciary: **SB 364**, **SB 365**, **SB 366**, **SB 367**, **SB 368**.

### MESSAGE FROM THE HOUSE

The House concurs in Senate amendments to **HB 2477**.

### 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 Claeys in the chair.

On motion of Senator Claeys the following report was adopted:

The committee report on **SB 355** recommending **Sub SB 355** be adopted, and the substitute bill be passed.

Senator Pittman moved **Sub SB 355** be rereferred to the Committee on **Redistricting**. The motion failed.

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

On roll call, the vote was: Yeas 8; Nays 26; Present and Passing 0; Absent or Not Voting 6.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holscher, Pettey, Pittman, Sykes.

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

Absent or Not Voting: Hawk, Holland, Longbine, McGinn, Suellentrop, Ware.

A motion by Senator Sykes to amend **Sub SB 355** failed and the following amendment was rejected; by striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 29 and inserting the following:

"Sec. 4. Congressional district 1 shall consist of all of Barber county; and all of Barton county; and all of Chase county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and all of Comanche county; and all of Decatur county; and all of Dickinson county; and all of Edwards county; and

all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Geary county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and the following voting districts in Greenwood county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090); and the following blocks in voting district (000100), tract 9658.00, block group 2, in Greenwood county: block 045, block 048, block 049, block 050, block 052, block 055, block 058, block 059, block 060, block 061, block 065, block 066, block 070, block 075, block 076, block 077, block 078, block 079, block 080, block 091, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 129, block 130, block 131, block 132, block 133, block 136, block 137, block 138, block 139, block 143, block 213, block 214, block 215, block 216, block 217, block 241; and the following voting districts in Greenwood county: (000110), (000120), (000130), (000140), (000150), (000170); and the following blocks in voting district (000180), tract 9658.00, block group 1, in Greenwood county: block 122, block 123, block 191, block 192, block 196, block 197, block 198, block 199, block 200, block 201, block 207, block 208, block 209, block 210, block 211, block 232; and the following blocks in voting district (000180), tract 9658.00, block group 2, in Greenwood county: block 140, block 141, block 142, block 144, block 145, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 238; and the following voting districts in Greenwood county: (200010), (200020), (900010), (900020); and all of Hamilton county; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and all of Kiowa county; and all of Lane county; and all of Lincoln county; and all of Logan county; and the following voting districts in Lyon county: (000010), (000020), (000030), (000040), (00005A), (00005B), (00005C), (00006A), (00006B), (00006C), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (00013A), (000140), (000150), (000160), (000170), (00017A), (00017C), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (00028A), (00028B), (00028C), (000290), (00029A), (000300), (000310); and the following blocks in voting district (000320), tract 0008.00, block group 2, in Lyon county: block 000, block 001, block 002, block 003, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 062, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108,

block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 178; and the following blocks in voting district (000320), tract 0008.00, block group 3, in Lyon county: block 263, block 270, block 271, block 315, block 316, block 317, block 322; and the following voting districts in Lyon county: (300010), (400010), (400020), (400030), (900010), (900030), (900040), (900060), (900070); and all of McPherson county; and all of Marion county; and all of Marshall county; and all of Meade county; and all of Mitchell county; and all of Morris county; and all of Morton county; and all of Ness county; and all of Norton county; and all of Osborne county; and all of Ottawa county; and all of Pawnee county; and all of Phillips county; and all of Pottawatomie county; and all of Pratt county; and all of Rawlins county; and the following voting districts in Reno county: (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000350), (000360), (00037A), (00037B), (000380), (00039A), (00039B), (000400), (000410), (000420), (000430), (000440), (000450), (000460), (000470), (000480), (000490), (000500), (000510), (000520), (000530), (00055A), (000560), (000570), (000590), (00060A), (00060B), (000610), (000620), (000630), (000640), (000660), (000670), (000680), (000690), (000700), (000710), (120030), (12005A), (120060), (200010), (200020), (200030), (200040), (200050), (200060), (900010), (900020); and all of Republic county; and all of Rice county; and all of Riley county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Thomas county; and all of Trego county; and all of Wabaunsee county; and all of Wallace county; and all of Washington county; and all of Wichita county.

Sec. 5. Congressional district 2 shall consist of all of Allen county; and all of Anderson county; and all of Atchison county; and all of Bourbon county; and all of Brown county; and all of Cherokee county; and all of Coffey county; and all of Crawford county; and all of Doniphan county; and all of Douglas county; and all of Franklin county; and all of Jackson county; and all of Jefferson county; and the following blocks in voting district (000030), tract 0538.03, block group 1, in Johnson county: block 024, block 044, block 045; and the following blocks in voting district (000030), tract 0538.04, block group 4, in Johnson county: block 015, block 016, block 025, block 026, block 027, block 028, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047; and the following blocks in voting district (000040), tract 0538.03, block group 1, in Johnson county: block 025, block

026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043; and the following voting districts in Johnson county: (000070), (000080), (000090), (00014A), (00014C), (000160), (001290), (00311A), (00311B), (00311D), (003120), (004030), (004040), (004070), (004080), (004090), (004100), (100040), (12003B), (190010), (190020), (190030), (900040), (900050), (900060), (900080), (900090), (900100), (900110), (900120), (900130), (900150), (900160), (900170), (900180), (900730), (901610), (901730), (901750), (901820), (901830), (901900), (901910), (901930), (901940), (901950), (920390), (920410), (920420), (92043A), (920450), (920460), (920470), (920530), (920610), (920620), (920640), (920680), (920690), (920750), (920760), (920790), (920800), (921070), (921080); and all of Labette county; and all of Leavenworth county; and all of Linn county; and the following blocks in voting district (000320), tract 0008.00, block group 2, in Lyon county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 060, block 061, block 063; and all of Miami county; and all of Nemaha county; and all of Neosho county; and all of Osage county; and all of Shawnee county; and the following voting districts in Wilson county: (000010), (000020), (000030), (000040), (000050), (000070), (000080), (000090), (00010A), (00010B), (000110), (00011B), (000120), (000130), (00014A), (00014B), (000150), (00015B), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (900010), (900020), (900030), (900040); and all of Woodson county.

Sec. 6. Congressional district 3 shall consist of the following voting districts in Johnson county: (000010), (000020); and the following blocks in voting district (000030), tract 0538.03, block group 1, in Johnson county: block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (000030), tract 0538.04, block group 4, in Johnson county: block 017, block 019, block 020; and the following blocks in voting district (000040), tract 0538.03, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 035, block 046; and the following voting districts in Johnson county: (000190), (000200), (000210), (000220), (000230), (000270), (000350), (000370), (000430), (000440), (000450), (000510), (000520), (000530), (000560), (000580), (000590), (000600), (000610), (000620), (000630), (000640), (000650), (000660), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950), (000960), (001000), (001010), (001030), (001040), (001050), (001060), (001070), (001090), (001100), (001130), (001150), (001160), (00117A), (00117B), (001200), (001210), (001220), (001240), (001250), (001260), (001280), (001300), (001310), (001320), (001330), (001340), (001350), (001360), (001370), (001380), (001390), (00140B), (001420), (001450), (00147A), (00147B), (001480), (001490), (001500), (001510), (001520), (00153J), (00153K), (00153P), (001540), (001550), (001560), (001570), (001580), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001660),

(001670), (001680), (001690), (001700), (001710), (001720), (001730), (001740), (001750), (001760), (001770), (001780), (001790), (001800), (001810), (001820), (001830), (001840), (001850), (001860), (001870), (001880), (001890), (001900), (001910), (001920), (001930), (001940), (001950), (001960), (001970), (001980), (001990), (002000), (002010), (002020), (002030), (002040), (002050), (002080), (002090), (002120), (002130), (002140), (002150), (002160), (00217A), (00217B), (002180), (002190), (002200), (002210), (00222A), (00222B), (002230), (002240), (00226B), (002280), (002290), (002300), (002310), (002320), (002330), (002340), (002350), (002370), (002380), (002390), (002400), (002410), (00242A), (00242B), (00244A), (00244B), (002460), (002470), (00249A), (00249C), (00249E), (00249F), (002500), (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (002760), (002770), (002780), (002790), (002800), (002810), (002820), (002850), (002860), (002870), (002880), (002890), (002900), (002910), (002920), (002930), (002940), (002960), (002980), (003000), (003010), (003020), (003030), (003040), (003050), (003060), (003070), (003080), (003090), (003130), (003140), (003150), (004140), (004180), (004190), (004300), (900010), (900020), (900030), (900190), (900200), (900210), (900220), (900230), (900250), (900260), (900270), (900280), (900290), (900300), (900320), (900330), (900340), (900360), (900370), (900380), (900400), (900410), (900430), (900440), (900450), (900460), (900470), (900480), (900490), (900500), (900510), (900520), (900530), (900540), (900550), (900560), (900570), (900580), (900600), (900610), (900620), (900640), (900650), (900660), (900670), (900680), (900700), (900710), (900740), (900750), (900760), (900790), (900800), (900810), (900820), (900840), (900850), (900860), (900870), (900880), (900890), (900910), (900920), (900930), (900940), (900980), (900990), (901000), (901010), (901020), (901030), (901040), (901050), (901060), (901070), (901080), (901090), (901100), (901110), (901120), (901130), (901140), (901150), (901160), (901170), (901180), (901200), (901210), (901220), (901300), (901310), (901330), (901340), (901360), (901370), (901380), (901410), (901420), (901430), (901510), (901550), (901560), (901570), (901630), (901650), (901680), (901700), (901710), (901780), (901810), (901880), (901890), (901970), (920000), (920010), (920020), (920030), (920040), (920050), (920060), (920070), (920080), (920090), (920110), (920120), (920130), (920140), (920150), (920160), (920170), (920180), (920190), (920200), (920210), (920220), (920230), (920240), (920250), (920260), (920270), (920280), (920290), (920300), (920310), (920320), (920330), (920340), (920350), (920360), (920370), (920380), (920440), (920490), (920500), (920510), (920520), (920540), (920550), (920560), (920570), (920580), (920590), (920600), (920630), (920650), (920660), (920670), (920700), (92071A), (920720), (920730), (920740), (920770), (920810), (920820), (920830), (920840), (920850), (920860), (920870), (920880), (920890), (920900), (920910), (920920), (920930), (920940), (920950), (920960), (920970), (920980), (920990), (921000), (921010), (921020), (921030), (921040), (921050); and all of Wyandotte county.

Sec. 7. Congressional district 4 shall consist of all of Butler county; and all of Chautauqua county; and all of Cowley county; and all of Elk county; and the following blocks in voting district (000100), tract 9658.00, block group 2, in Greenwood county: block 122, block 123, block 124, block 125, block 126, block 127, block 128, block

134, block 135, block 212, block 218, block 219, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 239, block 240; and the following blocks in voting district (000180), tract 9658.00, block group 2, in Greenwood county: block 207, block 208, block 209, block 210, block 211, block 220, block 221, block 222, block 223; and all of Harper county; and all of Harvey county; and all of Kingman county; and all of Montgomery county; and the following voting districts in Reno county: (000010), (000540), (000580), (000650); and all of Sedgwick county; and all of Sumner county; and the following voting districts in Wilson county: (000060)."

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

On roll call, the vote was: Yeas 11; Nays 23; Present and Passing 0; Absent or Not Voting 6.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holscher, Pettey, Pittman, Pyle, Sykes, Tyson.

Nays: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Ryckman, Steffen, Straub, Thompson, Warren, Wilborn.

Absent or Not Voting: Hawk, Holland, Longbine, McGinn, Suellentrop, Ware.

#### EXPLANATION OF VOTE

Mr. Chairman: I vote "AYE" on the amendment to replace the "Ad Astra map 2" with the "United" Map. The Ad Astra map put much of the City of Lawrence in the 1<sup>st</sup> Congressional District. Parts of Lawrence have been in the second and third districts, but never in the first or the fourth. "Ad Astra" divides eight voting precincts in Douglas County between the first and second congressional districts including the townships of Kanwaka and Lecompton – and this is after the Douglas County Clerk had attended a redistricting hearing and specifically mentioned problems created with the current splits in these townships. The "United" map keeps all of Douglas County in one congressional district and also keeps the cores of all four congressional intact.—MARC FRANCISCO

A motion by Senator Pyle to amend **Sub SB 355** failed and the following amendment was rejected; by striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 29 and inserting the following:

"Sec. 4. Congressional district 1 shall consist of all of Barber county; and all of Barton county; and all of Chase county; and all of Chautauqua county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and all of Comanche county; and all of Cowley county; and all of Decatur county; and all of Dickinson county; and all of Edwards county; and all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Geary county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and all of Hamilton county; and all of Harper county; and all of Harvey county; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and all of Kingman county; and all of Kiowa county; and all of Lane county; and all of Lincoln county; and all of Logan county; and all of Lyon county; and all of McPherson county; and all of Marion county; and all of Marshall county; and all of Meade county; and all of Mitchell county; and all of Morris county; and all of Morton county; and all of Ness

county; and all of Norton county; and all of Osborne county; and all of Ottawa county; and all of Pawnee county; and all of Phillips county; and all of Pratt county; and all of Rawlins county; and all of Reno county; and all of Republic county; and all of Rice county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Sumner county; and all of Thomas county; and all of Trego county; and all of Wallace county; and all of Washington county; and all of Wichita county.

Sec. 5. Congressional district 2 shall consist of all of Allen county; and all of Anderson county; and all of Atchison county; and all of Bourbon county; and all of Brown county; and all of Coffey county; and all of Doniphan county; and all of Franklin county; and all of Jackson county; and all of Jefferson county; and all of Leavenworth county; and all of Linn county; and all of Miami county; and all of Nemaha county; and all of Osage county; and all of Pottawatomie county; and all of Riley county; and all of Shawnee county; and all of Wabaunsee county; and all of Woodson county; and all of Wyandotte county.

Sec. 6. Congressional district 3 shall consist of all of Douglas county; and all of Johnson county.

Sec. 7. Congressional district 4 shall consist of all of Butler county; and all of Cherokee county; and all of Crawford county; and all of Elk county; and all of Greenwood county; and all of Labette county; and all of Montgomery county; and all of Neosho county; and all of Sedgwick county; and all of Wilson county."

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

On roll call, the vote was: Yeas 13; Nays 20; Present and Passing 2; Absent or Not Voting 5.

Yeas: Bowers, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holscher, Olson, Pettey, Pittman, Pyle, Steffen, Straub.

Nays: Alley, Baumgardner, Billinger, Claeyes, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, McGinn, O'Shea, Peck, Petersen, Ryckman, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Corson, Sykes.

Absent or Not Voting: Hawk, Holland, Longbine, Suellentrop, Ware.

#### EXPLANATION OF VOTE

Mr. Chairman: I vote "AYE" on the amendment to replace the "Ad Astra map 2" with the "Sunflower" map. I appreciate the introduction of this amendment that keeps every county whole in the creation of the four congressional districts. I believe that either an argument can be made that keeping all the counties whole is strong enough to stand up to the population deviations or a small exchange between the second and third districts could be found. I believe we lost an opportunity when we didn't send this back to the redistricting committee for consideration.—MARCI FRANCISCO

Mr. Chairman: I vote "Aye" on the congressional map amendment that has been offered as an alternative to the underlying (and onerous) **Sub SB 355**. This is my third redistricting process with the KS Legislature and it is never an easy process. In this instant map presented entitled "Ad Astra" (To the Stars), I predict that it's legislative

passage will only lead to the final part of our State motto, "Per Asper" (Through Difficulty) as well. IF this congressional map passes both Legislative Chambers, in that it clearly divides communities of interests (including along demographical, racial lines) and that it follows no clear geographical or even geo-political boundaries, the Governor should, rightfully, veto it. Should the veto be overridden in both Chambers, the Court will be hard pressed to sustain the lines of that map unless departing from time-honored assertions and guarantees written into the theories of redistricting. Again, this "star" of a gerrymandered, politically-pandering map will only be reached through great, time and resource consuming "difficulty." This amendment is a compromise to my pledge to the many constituents of the united Third Congressional District to keep Wyandotte County and Johnson County together and whole; as much as possible considering the new population deviation. Although this amendment severs the two counties, at least it will keep each of the counties whole unto themselves, though in now two different Congressional Districts. This amendment SHOULD have passed as it would be decidedly less cumbersome in the final incarnation of legislative, executive and judicial reviews. Hopefully, we may see something similar to this before the process concludes.

—DAVID HALEY

Mr. Chairman: The Sunflower map is a good faith compromise that I think has potential. We heard testimony from members of the Wyandotte and Johnson County communities asking us overwhelmingly to keep the greater Kansas City metropolitan area together, which this map does not do. A hearing on this map would have created an opportunity to hear those community members' perspectives on this specific proposal. I cannot support this map without that input.—DINAH SYKES

Senators Baumgardner and Corson request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **S Sub SB 355**.

A motion by Senator Sykes to amend **Sub SB 355** failed and the following amendment was rejected; by striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 29 and inserting the following:

"Sec. 4. Congressional district 1 shall consist of all of Allen county; and all of Anderson county; and all of Barber county; and all of Barton county; and all of Bourbon county; and the following voting districts in Brown county: (00012A), (00017A), (00017B), (00018A), (000190); and all of Chase county; and all of Chautauqua county; and all of Cherokee county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and all of Coffey county; and all of Comanche county; and all of Crawford county; and all of Decatur county; and all of Dickinson county; and all of Edwards county; and all of Elk county; and all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and all of Greenwood county; and all of Hamilton county; and all of Harper county; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and all of Kingman county; and all of Kiowa county; and all of Labette county; and all of Lane county; and all of Lincoln county; and all of Linn county; and all of Logan county; and the following voting districts in Lyon county: (00013A), (00017C), (000270), (000300), (000310), (000320); and all of McPherson county; and all of Marion county; and all of Marshall county; and all of Meade county; and all of Mitchell county; and all

of Montgomery county; and all of Morris county; and all of Morton county; and all of Nemaha county; and all of Neosho county; and all of Ness county; and all of Norton county; and all of Osborne county; and all of Ottawa county; and all of Pawnee county; and all of Phillips county; and all of Pratt county; and all of Rawlins county; and the following voting districts in Reno county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000100), (000110), (000440), (000450), (000470), (000480), (000500), (000510), (000520), (000530), (000540), (000560), (000570), (000580), (000590), (000660), (000670), (000690), (000700); and all of Republic county; and all of Rice county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Thomas county; and all of Trego county; and all of Wallace county; and all of Washington county; and all of Wichita county; and all of Wilson county; and all of Woodson county.

Sec. 5. Congressional district 2 shall consist of all of Atchison county; and the following voting districts in Brown county: (000010), (000020), (000030), (00004A), (00004B), (00005A), (00005B), (000060), (000070), (000080), (00009A), (00009B), (00009C), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000200), (000210), (900010); and all of Doniphan county; and all of Douglas county; and all of Franklin county; and all of Geary county; and all of Jackson county; and all of Jefferson county; and the following voting districts in Johnson county: (000010), (000020), (000030), (000040), (000070), (000080), (000090), (00014A), (00014C), (000160), (001290), (00311A), (00311B), (00311D), (003120), (004030), (004040), (004070), (004080), (004090), (004100), (100040), (190010), (190020), (190030), (900020), (900040), (900050), (900060), (900080), (900090), (900120), (900130), (900150), (900160), (900170), (900180), (900730), (901610), (901750), (901820), (901830), (901890), (901900), (901910), (901930), (901940), (920390), (920410), (920420), (92043A), (920450), (920460), (920470), (920520), (920530), (920610), (920620), (920640), (920680), (920790), (920800), (920990), (921000), (921070), (921080); and all of Leavenworth county; and the following voting districts in Lyon county: (000010), (000020), (000030), (000040), (00005A), (00005B), (00005C), (00006A), (00006B), (00006C), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (00017A), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (00028A), (00028B), (00028C), (000290), (00029A), (300010), (400010), (400020), (400030), (900010), (900030), (900040), (900060), (900070); and all of Miami county; and all of Osage county; and all of Pottawatomie county; and all of Riley county; and all of Shawnee county; and all of Wabaunsee county.

Sec. 6. Congressional district 3 shall consist of the following voting districts in Johnson county: (000190), (000200), (000210), (000220), (000230), (000270), (000350), (000370), (000430), (000440), (000450), (000510), (000520), (000530), (000560), (000580), (000590), (000600), (000610), (000620), (000630), (000640), (000650), (000660), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950), (000960), (001000), (001010), (001030), (001040), (001050), (001060), (001070), (001090), (001100), (001130), (001150), (001160), (00117A), (00117B), (001200), (001210), (001220), (001240),

(001250), (001260), (001280), (001300), (001310), (001320), (001330), (001340),  
 (001350), (001360), (001370), (001380), (001390), (00140B), (001420), (001450),  
 (00147A), (00147B), (001480), (001490), (001500), (001510), (001520), (00153J),  
 (00153K), (00153P), (001540), (001550), (001560), (001570), (001580), (001590),  
 (001600), (001610), (001620), (001630), (001640), (001650), (001660), (001670),  
 (001680), (001690), (001700), (001710), (001720), (001730), (001740), (001750),  
 (001760), (001770), (001780), (001790), (001800), (001810), (001820), (001830),  
 (001840), (001850), (001860), (001870), (001880), (001890), (001900), (001910),  
 (001920), (001930), (001940), (001950), (001960), (001970), (001980), (001990),  
 (002000), (002010), (002020), (002030), (002040), (002050), (002080), (002090),  
 (002120), (002130), (002140), (002150), (002160), (00217A), (00217B), (002180),  
 (002190), (002200), (002210), (00222A), (00222B), (002230), (002240), (00226B),  
 (002280), (002290), (002300), (002310), (002320), (002330), (002340), (002350),  
 (002370), (002380), (002390), (002400), (002410), (00242A), (00242B), (00244A),  
 (00244B), (002460), (002470), (00249A), (00249C), (00249E), (00249F), (002500),  
 (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580),  
 (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660),  
 (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740),  
 (002750), (002760), (002770), (002780), (002790), (002800), (002810), (002820),  
 (002850), (002860), (002870), (002880), (002890), (002900), (002910), (002920),  
 (002930), (002940), (002960), (002980), (003000), (003010), (003020), (003030),  
 (003040), (003050), (003060), (003070), (003080), (003090), (003130), (003140),  
 (003150), (004140), (004180), (004190), (004300), (12003B), (900010), (900030),  
 (900100), (900110), (900190), (900200), (900210), (900220), (900230), (900250),  
 (900260), (900270), (900280), (900290), (900300), (900320), (900330), (900340),  
 (900360), (900370), (900380), (900400), (900410), (900430), (900440), (900450),  
 (900460), (900470), (900480), (900490), (900500), (900510), (900520), (900530),  
 (900540), (900550), (900560), (900570), (900580), (900600), (900610), (900620),  
 (900640), (900650), (900660), (900670), (900680), (900700), (900710), (900740),  
 (900750), (900760), (900790), (900800), (900810), (900820), (900840), (900850),  
 (900860), (900870), (900880), (900890), (900910), (900920), (900930), (900940),  
 (900980), (900990), (901000), (901010), (901020), (901030), (901040), (901050),  
 (901060), (901070), (901080), (901090), (901100), (901110), (901120), (901130),  
 (901140), (901150), (901160), (901170), (901180), (901200), (901210), (901220),  
 (901300), (901310), (901330), (901340), (901360), (901370), (901380), (901410),  
 (901420), (901430), (901510), (901550), (901560), (901570), (901630), (901650),  
 (901680), (901700), (901710), (901730), (901780), (901810), (901880), (901950),  
 (901970), (920000), (920010), (920020), (920030), (920040), (920050), (920060),  
 (920070), (920080), (920090), (920110), (920120), (920130), (920140), (920150),  
 (920160), (920170), (920180), (920190), (920200), (920210), (920220), (920230),  
 (920240), (920250), (920260), (920270), (920280), (920290), (920300), (920310),  
 (920320), (920330), (920340), (920350), (920360), (920370), (920380), (920440),  
 (920490), (920500), (920510), (920540), (920550), (920560), (920570), (920580),  
 (920590), (920600), (920630), (920650), (920660), (920670), (920690), (920700),  
 (92071A), (920720), (920730), (920740), (920750), (920760), (920770), (920810),  
 (920820), (920830), (920840), (920850), (920860), (920870), (920880), (920890),  
 (920900), (920910), (920920), (920930), (920940), (920950), (920960), (920970),

(920980), (921010), (921020), (921030), (921040), (921050); and all of Wyandotte county.

Sec. 7. Congressional district 4 shall consist of all of Butler county; and all of Cowley county; and all of Harvey county; and the following voting districts in Reno county: (000090), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000350), (000360), (00037A), (00037B), (000380), (00039A), (00039B), (000400), (000410), (000420), (000430), (000460), (000490), (00055A), (00060A), (00060B), (000610), (000620), (000630), (000640), (000650), (000680), (000710), (120030), (12005A), (120060), (200010), (200020), (200030), (200040), (200050), (200060), (900010), (900020); and all of Sedgwick county; and all of Sumner county."

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

On roll call, the vote was: Yeas 7; Nays 26; Present and Passing 2; Absent or Not Voting 5.

Yeas: Corson, Francisco, Haley, Holscher, Pettet, Pittman, Sykes.

Nays: Alley, Baumgardner, Billinger, Bowers, Claey, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Faust-Goudeau, Pyle.

Absent or Not Voting: Hawk, Holland, Longbine, Suellentrop, Ware.

A motion by Senator Pyle to reconsider previous action to rerefer **Sub SB 355** back to committee failed.

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

On roll call, the vote was: Yeas 16; Nays 18; Present and Passing 1; Absent or Not Voting 5.

Yeas: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, McGinn, Pettet, Pittman, Pyle, Steffen, Straub, Sykes.

Nays: Alley, Baumgardner, Billinger, Claey, Erickson, Fagg, Gossage, Hilderbrand, Kloos, Masterson, O'Shea, Peck, Petersen, Ryckman, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Olson.

Absent or Not Voting: Hawk, Holland, Longbine, Suellentrop, Ware.

Motions by Senator Pyle to amend **Sub SB 355** failed.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **Sub SB 355** was advanced to Final Action and roll call.

**Sub SB 355**, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143.

On roll call, the vote was: Yeas 26; Nays 9; Present and Passing 0; Absent or Not Voting 5.

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

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holscher, Pettet, Pittman, Pyle,

Sykes.

Absent or Not Voting: Hawk, Holland, Longbine, Suellentrop, Ware.  
The bill passed.

#### EXPLANATION OF VOTE

Mr. President: “Today, the Kansas Senate passed a Congressional map that is reflective of the testimony we received on the in-person and virtual tours conducted in 2021, carefully follows the guidelines we established, and is the culmination of a lengthy process that began last summer. The Ad Astra 2 Map brings together communities of interest within each Congressional district to the furthest extent possible. It keeps the core of the 3<sup>rd</sup> District – Johnson County – together, merging it with southern Wyandotte and the bedroom communities in Miami, Franklin, and Anderson that have historically been part of the 3<sup>rd</sup> Congressional District and are increasingly associated with the Kansas City Metropolitan area. It places the University of Kansas, Kansas State, and Fort Hays State in the 1<sup>st</sup> District. It draws boundaries largely along easy-to-understand major highways and natural barriers such as rivers. It is also a fair map, keeping all four members of Congress within their current seats – and despite the assertions of the minority party that the map was drawn for partisan gain, all four would have won their elections in 2020. Finally, it has zero deviation in population between all four districts. On balance, this map will serve the state well for the next decade. We Vote Yes.” —TY MASTERTSON

Senators Alley, Erickson and Wilborn request the record to show they concur with the "Explanation of Vote" offered by Senator Masterson on **Sub SB 355**.

Mr. President: The Ad Astra map violates a number of redistricting guidelines we agreed to follow as legislative leadership, and it was clearly drawn for partisan gain. It splits communities of interest while combining communities with no established economic, cultural, or historical ties to the Third Congressional District. And to add insult to injury, it places Lawrence – which has always been in an eastern Kansas district during the modern redistricting era – in the Big First. This map doesn’t serve Kansans fairly. That’s to be expected since this process has never been fair. It has never been about listening to Kansans. It has never been about keeping our communities together. The majority party has used selective listening to justify a map that makes no sense for Kansas, unless you see congressional districts as a means to one-party control rather than fundamental to democratic representation. I vote “NO.” —DINAH SYKES

Senators Corson, Francisco, Haley, Holscher and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **Sub SB 355**.

#### TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of January 18 through January 21, 2022:

Senator Billinger: celebrating Lucy Pochop's 102nd Birthday, celebrating Frances Kompus' 100th Birthday, congratulating Ella Prosser on winning the 2021 “My City, My Home” Essay Contest, congratulating Blaire Beougher on winning the 2022 “My City, My Home” Essay Contest;

Senator Bowers: congratulating Belleville Dairy Queen on 30 Years in Business, congratulating Dreyton Hughes on being named a KDHE Bureau of Waste Management

“Keep It Clean Kansas” Calendar Winner, congratulating Mike Baumann on being named the Cross Country Track and Field Coach of the Year, congratulating Kenny Lynch on his retirement after 53 years of service to the Mankato Fire Department, congratulating Dorothy Wilson on receiving the 2021 K-State Research and Extension Appreciation Award, congratulating Michael Grauer on his induction into the Kansas Cowboy Hall of Fame;

Senator Holscher: commending KeKe Blackmon on her service to athletics, the community, and the State of Kansas; and

Senator Pittman: congratulating the Lansing High School Volleyball Team on winning the 2021 State Championship.

On motion of Senator Alley, the senate adjourned pro forma until 2:30 p.m. January 24, 2022.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

