

Journal of the Senate

FORTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 16, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 36 senators present.
Senators Claeys, Kerschen, McGinn and Shallenburger were excused.
Invocation by David DePue:

Almighty God, here we are on the eve of St. Patrick's Day. I ask You to bless the work of these Kansas Senators, wrapping up work on the state budget. Following Solomon's plea to look out for the poor, taxing in proportion to wealth, obeying Jesus' admonition to collect from each only what is due, administering with honest weights and measures and paying fair wages to the workers.

Lord, please grant each of these senators with a portion of the legacy that You gave to the patron Saint Patrick. Let us remember them for their life commitment and leadership today, as well as all their days of service to the people of Kansas. I pray this in the name of Jesus. Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 316, AN ACT concerning postsecondary education; relating to the comprehensive grant program; authorizing the state treasurer to administer the comprehensive grant program for not-for-profit independent institutions of higher education; amending K.S.A. 74-32,120, 74-32,121, 74-32,122, 74-32,123, 74-32,124 and 74-32,125 and repealing the existing sections, by Committee on Ways and Means.

SB 317, AN ACT concerning childhood sexual abuse; permitting a prosecution for childhood sexual abuse to be commenced at any time; providing exceptions in the Kansas tort claims act for claims arising from childhood sexual abuse; extending the time to file civil actions for recovery of damages caused by childhood sexual abuse; amending K.S.A. 12-105b, 75-6104 and 75-6105 and K.S.A. 2022 Supp. 21-5107 and 60-523 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 318, AN ACT concerning municipal courts; relating to fingerprinting; removing the requirement to collect fingerprints from persons convicted of violating certain municipal ordinance provisions related to vehicle registration or driving without a valid driver's license or motor vehicle liability insurance coverage; amending K.S.A. 12-4517 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 313; SCR 1610.**

Public Health and Welfare: **SB 314, SB 315.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator O'Shea introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1716—

A RESOLUTION commemorating the celebration of St. Patrick's Day.

WHEREAS, On March 17, during the annual celebration of the Feast of Saint Patrick, the patron saint of Ireland, Irish Americans join with people of all other ethnic origins in celebrating Saint Patrick and demonstrating a mutual love for Ireland; and

WHEREAS, On Saint Patrick's Day, all who celebrate live in the spirit of Saint Patrick, Saint Bridget and Saint Colmcille, the latter of whose 1500th birthday was celebrated in 2020; and

WHEREAS, Irish immigrants in the United States helped form the cultural foundation of the nation, and those of Irish lineage today proudly sing support for Ireland; and

WHEREAS, We celebrate the establishment of the American Irish State Legislators Caucus, which has leadership in all 50 states, and we applaud its aim of fostering and strengthening the longstanding relationship between the United States and Ireland for the mutual benefit of both countries; and

WHEREAS, The Senate of Ireland celebrates its 101st anniversary this year; and

WHEREAS, The songs of Ireland are the tragic songs of love, the joyous songs of battle, the nostalgic reveries of the sorrows and glories that are the Emerald Isle, the lamentations of life's myriad travails and the odes to joy in the life eternal: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we commemorate the celebration of the Feast of Saint Patrick, the patron saint of Ireland; and

Be it further resolved: That we honor the Good Friday Agreement, on the 25th anniversary of its ratification, as the framework for lasting peace in Northern Ireland; and

Be it further resolved: That the Secretary of the Senate shall send each an enrolled copy of this resolution to the Chair of the American Irish State Legislature Caucus, Senator Mark Daly, the 24th Chair of the Senate of Ireland and Senator O'Shea.

On emergency motion of Senator O'Shea **SR 1716** was adopted by voice vote.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Masterson the Senate nonconcurred in House amendments to **H Sub SB 83** and requested a conference committee be appointed.

The Vice President appointed Senators Baumgardner, Erickson and Sykes as a conference committee on the part of the Senate.

Senator Sykes moved the Senate concur in House amendments to **H Sub SB 83.**

The chairperson stated the motion to concur was not in order.

The Subcommittee on Rules convened to consider the motion to concur and ruled the motion was not in order.

The ruling of the chair was challenged. Following a division vote, the ruling was sustained.

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 Erickson in the chair.

On motion of Senator Erickson the following report was adopted:

The committee report on **SB 155** recommending **Sub SB 155** be adopted, be amended by motion of Senator Blasi; on page 127, in line 33, by adding \$1,800,000 to the dollar amount and by adjusting the dollar amount in line 33 accordingly;

On page 291, in line 19, by subtracting \$1,800,000 from the dollar amount and by adjusting the dollar amount in line 19 accordingly

Sub SB 155 be further amended by motion of Senator Tyson; on page 269, following line 8, by inserting:

"Sec. 126. (a) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2023 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 to enroll and actively participate in e-verify for verification of employment eligibility of all employees whose employment commences after January 1, 2024.

(b) During the fiscal year ending June 30, 2024, no state agency named in this or other appropriation act of the 2023 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2023 regular session of the legislature to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-

verify.

(c) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2023 or 2024 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2025.

(d) During the fiscal year ending June 30, 2025, no state agency named in this or other appropriation act of the 2023 or 2024 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(e) As used in this section:

(1) "Employee" means any person who performs employment services for an employer pursuant to an employment relationship between the employee and the employer.

(2) "Employer" means any individual or type of organization that transacts business in this state and employs one or more individuals who perform employment services in this state.

(3) "E-verify" means an electronic system jointly administered by the United States department of homeland security and the social security administration or its successor program, pursuant to 8 U.S.C. § 1324a, that is used to verify the employment authorization of employees.";

And by renumbering sections accordingly

Sub SB 155 be further amended by motion of Senator Pettey; on page 125, following line 42, by inserting:

"(j) During the fiscal year ending June 30, 2023, notwithstanding the provisions of

K.S.A. 39-2019, and amendments thereto, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by section 74 of chapter 81 or section 28 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for the purpose of certifying community behavioral health clinics when such clinics are ready and meet the requirements for certification in advance of the deadlines established in K.S.A. 39-2019, and amendments thereto.";

On page 142, following line 28, by inserting:

"(v) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 39-2019, and amendments thereto, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for the purpose of certifying community behavioral health clinics when such clinics are ready and meet the requirements for certification in advance of the deadlines established in K.S.A. 39-2019, and amendments thereto."

Sub SB 155 be further amended by motion of Senator Tyson; on page 269, following line 8, by inserting:

"Sec. 126. (a) Except as provided in subsection (c), on July 1, 2023, of each amount appropriated for a state agency for the fiscal year ending June 30, 2024, by chapter 81 or chapter 97 of the 2022 Session Laws of Kansas, this act or other appropriation act of the 2023 regular session of the legislature from the state general fund, the sum equal to 3.25% of such appropriation that is not exempt is hereby lapsed.

(b) Except as provided in subsection (c), on July 1, 2023, of each amount reappropriated for a state agency for the fiscal year ending June 30, 2024, by chapter 81 or chapter 97 of the 2022 Session Laws of Kansas, this act or other appropriation act of the 2023 regular session of the legislature from the state general fund, the sum equal to 3.25% of such reappropriation that is not exempt is hereby lapsed.

(c) The following items are exempt from and shall not be lapsed pursuant to this section:

(1) Any item of appropriation or reappropriation from the state general fund for fiscal year 2024 for debt service for payments made pursuant to contractual bond obligations;

(2) any item of appropriation or reappropriation from the state general fund for fiscal year 2024 for the following state agencies: Department of corrections, adjutant general, state fire marshal, Kansas highway patrol, attorney general – Kansas bureau of investigation, emergency medical services board, Kansas sentencing commission and Kansas commission on peace officers' standards and training;

(3) any item of appropriation or reappropriation from the state general fund for fiscal year 2024 for the Kansas state school for the deaf, Kansas state school for the blind and the department of education; and

(4) any item of appropriation or reappropriation from the state general fund for fiscal year 2024 for the Kansas department for children and families, division of health care finance of the department of health and environment, department of corrections or

the Kansas department for aging and disability services that are required to meet caseload obligations under the state medicaid plan, including general medical expenditures under KanCare and non-KanCare expenditures included in the consensus caseload estimating process or for the Kansas department for children and families to meet caseload obligations for temporary assistance for needy families, foster care and reintegration services contracts or adoption services contracts, as certified by the director of the budget to the director of accounts and reports for the purposes of this subsection. At the same time that any certification is made by the director of the budget to the director of accounts and reports under this section, the director of the budget shall deliver a copy of such certification to the director of legislative research.";

And by renumber remaining sections accordingly

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

On roll call, the vote was: Yeas 17; Nays 9; Present and Passing 6; Absent or Not Voting 8.

Yeas: Alley, Baumgardner, Blasi, Bowers, Erickson, Fagg, Gossage, Kloos, O'Shea, Peck, Petersen, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Holland, Holscher, Longbine, Pettey, Pittman, Reddi, Sykes.

Present and Passing: Billinger, Dietrich, Haley, Olson, Pyle, Ryckman.

Absent or Not Voting: Claeys, Doll, Faust-Goudeau, Kerschen, Masterson, McGinn, Shallenburger, Ware.

Sub SB 155 be further amended by motion of Senator Tyson; on page 269, following line 8, by inserting:

"Sec. 126. (a) (1) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2023 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2024 to implement and accomplish the following objectives on or before October 1, 2023, pursuant to K.S.A. 75-3718b, and amendments thereto:

(A) A program service inventory. Such inventory shall include, but not be limited to, the following:

(i) Identification of agency programs and subprograms by objective, function and purpose;

(ii) the state or federal statutory citation authorizing those programs, if any;

(iii) identification of programs that are mandatory versus discretionary;

(iv) a history of the programs, including interaction with other agency programs and objectives;

(v) state matching or other federal financial requirements;

(vi) prioritization of the level of all programs and subprograms; and

(vii) the consequence of not funding the program or subprogram.

(B) An integrated budget fiscal process. Such process shall institute common accounting procedures consistent with budget development, budget approval and budget submission, through actual expenditures by fund.

(C) A performance based budgeting system. Such budgeting system shall include,

but not be limited to, the following:

(i) Incorporation of various outcome based performance measures for state programs; and

(ii) enhancement of the capability to compare program effectiveness across multiple state and political boundaries.

(2) On or before November 15, 2023, the division of post audit shall review each state agency's program service inventory, integrated budget fiscal process and performance based budgeting system and shall determine and certify whether such state agency is or is not meeting such objectives. If the legislative post auditor certifies that a state agency has not met the objectives, the legislative post auditor shall send a copy of such certification noting that the state agency has not met the objectives to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall lapse an amount equal to 5% of moneys appropriated or reappropriated for such state agency for the fiscal year ending June 30, 2024, by this or other appropriation act of the 2023 regular session of the legislature from the state general fund. At the same time that any certification is made by the legislative post auditor to the director of accounts and reports under this section, the legislative post auditor shall deliver a copy of such certification to the director of the budget and director of legislative research.

(b) (1) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2023 or 2024 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2025 as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures shall be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2025 to implement and accomplish the following objectives on or before October 1, 2024, pursuant to K.S.A. 75-3718b, and amendments thereto:

(A) A program service inventory. Such inventory shall include, but not be limited to, the following:

(i) Identification of agency programs and subprograms by objective, function and purpose;

(ii) the state or federal statutory citation authorizing those programs, if any;

(iii) identification of programs that are mandatory versus discretionary;

(iv) a history of the programs, including interaction with other agency programs and objectives;

(v) state matching or other federal financial requirements;

(vi) prioritization of the level of all programs and subprograms; and

(vii) the consequence of not funding the program or subprogram.

(B) An integrated budget fiscal process. Such process shall institute common accounting procedures consistent with budget development, budget approval and budget submission, through actual expenditures by fund.

(C) A performance based budgeting system. Such budgeting system shall include, but not be limited to, the following:

(i) Incorporation of various outcome based performance measures, for state programs; and

(ii) enhancement of the capability to compare program effectiveness across multiple state and political boundaries.

(2) On or before November 15, 2024, the division of post audit shall review each state agency's program service inventory, integrated budget fiscal process and performance based budgeting system and shall determine and certify whether such state agency is or is not meeting such objectives. If the legislative post auditor certifies that a state agency has not met the objectives, the legislative post auditor shall send a copy of such certification noting that the state agency has not met the objectives to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall lapse an amount equal to 5% of moneys appropriated or reappropriated for such state agency for the fiscal year ending June 30, 2025, by this or other appropriation act of the 2023 or 2024 regular session of the legislature from the state general fund. At the same time that any certification is made by the legislative post auditor to the director of accounts and reports under this section, the legislative post auditor shall deliver a copy of such certification to the director of the budget and director of legislative research.

(c) The following items are exempt from and shall not be lapsed pursuant to this section:

(1) Any item of appropriation or reappropriation from the state general fund for fiscal year 2024 or fiscal year 2025 for debt service for payments made pursuant to contractual bond obligations;

(2) any item of appropriation or reappropriation from the state general fund for fiscal year 2024 or fiscal year 2025 for the Kansas department for children and families, division of health care finance of the department of health and environment, department of corrections or the Kansas department for aging and disability services that are required to meet caseload obligations under the state medicaid plan, including general medical expenditures under KanCare and non-KanCare expenditures included in the consensus caseload estimating process or for the Kansas department for children and families to meet caseload obligations for temporary assistance for needy families, foster care and reintegration services contracts or adoption services contracts, as certified by the director of the budget to the director of accounts and reports for the purposes of this subsection; and

(3) any item of appropriation or reappropriation from the state general fund for fiscal year 2024 or fiscal year 2025 for a postsecondary educational institution that has implemented the performance agreement pursuant to K.S.A. 74-3202d, and amendments thereto.";

And by renumber remaining sections accordingly and **Sub SB 155** be passed as amended.

A motion by Senator Reddi to further amend **Sub SB 155** failed and the following amendment was rejected; on page 204, by striking all in lines 13 through 35;

On page 207, by striking all in lines 10 through 32

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

On roll call, the vote was: Yeas 11; Nays 25; Present and Passing 0; Absent or Not Voting 4.

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

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

Absent or Not Voting: Claeys, Kerschen, McGinn, Shallenburger.

A motion by Senator Pittman to further amend **Sub SB 155** failed and the following amendment was rejected; on page 113, in line 12, by subtracting \$71,458,209 from the dollar amount and by adjusting the dollar amount in line 12 accordingly;

On page 114, in line 10, by adding \$2,200,000 to the dollar amount and by adjusting the dollar amount in line 10 accordingly;

On page 116, following line 7, by inserting:

"(h) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by such agency from such moneys to prepare and submit to the United States centers for medicare and medicaid services any approval request necessary to provide eligibility for the receipt of medical assistance benefits and, commencing on January 1, 2024, to provide such eligibility to individuals who are adults under 65 years of age, who are not pregnant and whose household modified adjusted gross income does not exceed 138% of the federal poverty guidelines to the extent permitted under the federal patient protection and affordable care act, public law 111-148, and the federal health care and education reconciliation act of 2010, public law 111-152.";

On page 269, following line 15, by inserting:

"Sec. 127.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$65,500,000

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state general fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$766,376

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$80,742

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state water plan fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$9,912

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the children's initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(e) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$84,100

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the Kansas endowment for youth fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(f) Upon recommendation of the director of the budget, the state finance council, acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, is hereby authorized to approve: (1) Increases in expenditure limitations on special revenue funds and accounts and increase the transfers between special revenue funds as necessary to pay the salary increases under this section for the fiscal year ending June 30, 2024; and (2) the expenditure of any remaining moneys in any account appropriated in subsections (a) through (e) to address salary inequities in any state agency as identified by the director of the budget in consultation with the director of personnel services. The director of accounts and reports is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts and increase the transfers between special revenue funds in accordance with such approval of the state finance council for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified for the fiscal year ending June 30, 2024.

(g) (1) Except as provided in subsection (h), effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, the classified pay matrix shall be adjusted upward by 5.0 percent, rounded to the nearest penny.

(2) Except as provided in subsection (h), effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, all state agencies shall receive a sum equivalent to the total of 5.0%, rounded to the nearest penny, of the salaries of all benefits eligible unclassified employees in such agency, to be distributed as a merit pool.

(h) (1) Notwithstanding the provisions of K.S.A. 46-137a and 46-137b, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to the compensation or biweekly allowance paid to each member of the legislature.

(2) Notwithstanding the provisions of K.S.A. 75-3111a, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to state officers elected on a statewide basis.

(3) Notwithstanding the provisions of K.S.A. 75-3120l, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to justices of the supreme court, judges of the court of appeals, district court judges and district magistrate judges.

(4) The provisions of subsection (g) shall not apply to:

(A) Teachers and licensed personnel and employees at the Kansas state school for the deaf or the Kansas state school for the blind.

(B) Kansas bureau of investigation forensic scientists who received an agency salary enhancement in fiscal year 2023, are anticipated to receive an agency salary enhancement in fiscal year 2024 or may receive such salary enhancements in both fiscal years.

(C) Employees of any agency who received an agency salary enhancement in fiscal year 2023, are anticipated to receive an agency salary enhancement in fiscal year 2024 or may receive such salary enhancements in both fiscal years.

(D) Any other employees on a formal, written career progression plan implemented by executive directive.

(E) Employees of the judicial branch and any employee whose pay is linked as provided by law to the pay of employees in the judicial branch.

(i) After implementation of subsections (g) and (h) the governor is hereby authorized and directed to modify the pay plan for fiscal year 2024 in accordance with this subsection and to adopt such pay plan as so modified. The governor is further authorized to implement market adjustments to the job classes and job titles determined to be greater than 5% below the average market salary rates in the 2022 department of administration annual salary survey to result in a salary rate that is less than or equal to 5% below the market average rate, which shall be effective on the first day of the first biweekly payroll period that is chargeable to the fiscal year ending June 30, 2024, for positions in such job classifications.";

And by renumbering sections accordingly

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

On roll call, the vote was: Yeas 11; Nays 22; Present and Passing 1; Absent or Not Voting 6.

Yeas: Corson, Doll, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Blasi, Bowers, Dietrich, Erickson, Fagg, Gossage, Kloos, Longbine, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Billinger.

Absent or Not Voting: Claeys, Faust-Goudeau, Kerschen, McGinn, O'Shea, Shallenburger.

EXPLANATION OF VOTE

As this state faces a severe workforce crisis and 6-8% inflation and higher CPI, I strongly support and vote aye on the amendment on **Sub SB 155** to expand KanCare while also providing 5% raises to our embattled state employees. This critical amendment would keep the State General Fund revenue neutral. Failure to expand KanCare has resulted in our state missing out on \$6 Billion in federal dollars that our state taxpayers have already paid. By expanding KanCare, we can support our state hospitals, provide access to essential healthcare for lower wage workers, and take a moral step towards helping at-risk Kansans. Moreover, this amendment would significantly contribute to workforce development. We cannot afford to delay any longer in taking this critical step to strengthen our state's economy and support our citizens.—JEFF PITTMAN

Senators Francisco and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **Sub SB 155**.

A motion by Senator Pyle to further amend **Sub SB 155** failed and the following amendment was rejected; on page 24, following line 15, by inserting:

"(d) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2024 to establish a committee on organization, calendar and rules as a standing committee of the senate: *Provided*, That the committee on organization, calendar and rules shall have six voting members: *Provided further*, That such members shall be the six most senior members in continuous terms of service of the majority party of the senate, not including the president, vice president and majority leader of the senate: *And provided further*, That such members shall elect the chairperson of the committee from among the members of the committee: *And provided further*, That the president, vice president and majority leader of the senate shall be advisory members of the committee on organization, calendar and rules: *And provided further*, That the committee on organization, calendar and rules shall appoint the members of all standing committees of the senate, shall appoint the chairperson and vice chairperson or vice chairpersons of each committee and shall designate the ranking minority member of each committee: *And provided further*, That the minority leader of the senate shall submit recommendations to the committee on organization, calendar and rules for the appointment of minority members to the standing committees of the senate: *And provided further*, That no bill or resolution other than resolutions adopting, amending or revoking rules of the senate or joint rules of the senate and house of representatives shall be introduced by or be referred to the committee on organization, calendar and rules: *And provided further*, That the committee on organization, calendar and rules shall have a standing subcommittee on calendar, which shall be composed of the three most senior members in continuous terms of service of the majority party of the senate, not including the president, vice president and majority leader of the senate: *And provided further*, That the committee on organization, calendar and rules may establish such other subcommittees of the committee on organization, calendar and rules as the committee deems appropriate: *And provided further*, That the committee on organization, calendar and rules may close meetings of the committee: *And provided further*, That the committee on organization, calendar and rules shall appoint the members of all special and select committees of the senate and the chairperson and vice chairperson thereof: *And provided further*, That in addition to the compensation provided by K.S.A. 46-137a and 75-3212, and amendments thereto, or any other statute, members of the committee on organization, calendar and rules shall receive an allowance equal to the allowance for the assistant majority leader of the senate as provided in K.S.A. 46-137b(a)(2), and amendments thereto."

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

On roll call, the vote was: Yeas 9; Nays 17; Present and Passing 6; Absent or Not Voting 8.

Yeas: Francisco, Haley, Holland, Holscher, Pittman, Pyle, Reddi, Straub, Sykes.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Dietrich, Erickson, Fagg, Gossage, Kloos, Masterson, Peck, Ryckman, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Corson, Longbine, O'Shea, Petersen, Pettey, Steffen.

Absent or Not Voting: Claeys, Doll, Faust-Goudeau, Kerschen, McGinn, Olson, Shallenburger, Ware.

EXPLANATION OF VOTE

I vote "Aye" on Senator Pyle's amendment to form a committee of six Senate members to determine committee chairs in the Senate, thus diversifying key roles among leadership, with overall control still appropriately remaining with the majority as they would make up that committee. This is not a vote targeting current leadership per se. However, we as a Senate need to be very conscious of the consolidation of power into the hands of a few as it affects the way we are each able to represent our respective districts. We have seen this power consolidation over the years, extending from in session to out of session via the FCC and LCC. This amendment would be a step towards fixing this challenge which threatens our democratic principles.—JEFF PITTMAN

Senator Haley requests the record to show he concurs with the "Explanation of Vote" offered by Senator Pittman on **Sub SB 155**.

A motion by Senator Pettey to further amend **Sub SB 155** failed.

A motion by Senator Tyson to further amend **Sub SB 155** failed.

A motion by Senator Francisco to further amend **Sub SB 155** failed.

A motion by Senator Holland to further amend **Sub SB 155** failed.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2225, HB 2331, HB 2400, HB 2421, HB 2422**.

Announcing passage of **SB 229**, as amended by **H Sub for SB 229**.

Announcing passage of **SB 14**, as amended; **SB 19**, as amended; **SB 26**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2225, HB 2331, HB 2400, HB 2421, HB 2422 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **SB 14** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **SB 19** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **SB 26** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 300** be passed.

Also, **SB 147** be amended on page 2, in line 5, by striking "(1)"; also in line 5, by striking all after "(b)"; in line 6, by striking all before "shall"; by striking all in lines 14 through 17;

On page 1, in the title, in line 2, by striking "and making the credit refundable"; and the bill be passed as amended.

Committee on **Commerce** recommends **HB 2042**, As Amended by House Committee, be amended on page 1, in line 20, by striking "self-storage unit" and inserting "self-service storage facility";

On page 3, in line 11, by striking "45" and inserting "60";

On page 1, in the title, in line 1, by striking "self-storage rental units" and inserting "self-service storage facilities"; in line 2, by striking "unit" and inserting "facilities"; in line 3, by striking "45" and inserting "60"; in line 6, by striking all after "adding"; in line 7, by striking "unit" and inserting "self-service storage facility"; and the bill be passed as amended.

Also, **HB 2173** be amended on page 1, in line 21, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2234, As Amended by House Committee, be amended on page 3, in line 21, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2292, As Amended by House Committee of the Whole (Corrected), be amended on page 7, in line 27, by striking "unexpended" and inserting "unencumbered"; in line 28, by striking "close" and inserting "end"; in line 29, after "that" by inserting "such unencumbered balance at the end of the fiscal year to remain credited to the fund for use in the succeeding fiscal year shall not exceed \$2,500,000. On June 30, 2024, and each June 30 thereafter, the director of accounts and reports shall transfer the amount, if any, of unencumbered moneys in the fund in excess of \$2,500,000 to the state general fund.";

On page 10, in line 10, by striking "unexpended" and inserting "unencumbered"; in line 11, by striking "close" and inserting "end"; in line 12, after "year" by inserting ", except that the amount of such unencumbered balance at the end of the fiscal year to remain credited to the fund for use in the succeeding fiscal year shall not exceed \$3,000,000. On June 30, 2024, and each June 30 thereafter, the director of accounts and reports shall transfer the amount, if any, of unencumbered moneys in the fund in excess of \$3,000,000 to the state general fund"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2092**, As Amended by House Committee, be passed.

Your Committee on **Federal and State Affairs** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Assistant Adjutant General-Air/Commander, Kansas Air National Guard: K.S.A. 48-208

Col. Jason Knobbe

Committee on **Financial Institutions and Insurance** recommends **HB 2197**, As

Amended by House Committee of the Whole, 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 **Judiciary** recommends **HB 2395** be passed.

Also, **HB 2027** be amended on page 2, in line 7, by striking "at or following trial"; and the bill be passed as amended.

HB 2130 be amended on page 6, following line 13, by inserting:

"Sec. 7. K.S.A. 59-2209 is hereby amended to read as follows: 59-2209. (a) When notice of hearing is required by any provision of this act by specific reference to this section, such notice shall be published ~~once-a~~ per week for three consecutive weeks in some newspaper of the county authorized by law to publish legal notices. The first publication shall be made within ~~10~~ 30 days after the order fixing the time and place of the hearing and, within seven days after the first published notice, the petitioner shall mail or cause to be mailed, postage prepaid, a copy of the notice to each heir, devisee and legatee or guardian and ward, conservator and conservatee or guardian ad litem, as the case may be, other than the petitioner, whose name and address is known to the petitioner. A copy of the petition, any attachments to it and, when applicable, a copy of the will, accounting and settlement agreement shall be included with the notice, unless excused by court order. The date set for the hearing shall not be earlier than ~~seven days~~ not later than 14 10 days and not later than 30 days after the date of the last publication of notice.

(b) Whenever notice is mailed to a person residing in a foreign country, such notice shall be mailed by air mail.";

On page 8, following line 11, by inserting:

"Sec. 11. K.S.A. 59-2308 is hereby amended to read as follows: 59-2308. In all sales at public auction the personal representative shall give notice containing a particular description of the real estate to be sold, and ~~by stating such notice shall state~~ the time, terms and place of sale. The notice shall be given by publication ~~once-a~~ per week for three consecutive weeks in some newspaper, authorized to publish legal notices, of the county ~~in which where~~ the real estate is situated. The date set for the sale shall not be earlier than ~~seven days~~ not later than 14 10 days and not later than 30 days after the date of the last publication of notice. If the tracts to be sold are contiguous and lie in more than one county, notice may be given and the sale made in either of such counties.";

On page 10, following line 13, by inserting:

"Sec. 14. K.S.A. 2022 Supp. 59-3504 is hereby amended to read as follows: 59-3504. (a) Title to the interest in real estate recorded in transfer-on-death form shall vest in the designated grantee beneficiary or beneficiaries on the death of the record owner.

(b) Grantee beneficiaries of a transfer-on-death deed take the record owner's interest in the real estate at death subject to all conveyances, assignments, contracts, mortgages, liens and security pledges made by the record owner or to which the record owner was subject during the record owner's lifetime including, but not limited to, any executory contract of sale, option to purchase, lease, license, easement, mortgage, deed of trust or lien, claims of the state of Kansas for medical assistance, as defined in K.S.A. 39-702, and amendments thereto, pursuant to K.S.A. 39-709, and amendments thereto, and to any interest conveyed by the record owner that is less than all of the record owner's interest in the property.

(c)(1) Except as provided in subsection (c)(2), if a grantee beneficiary dies prior to the death of the record owner and an alternative grantee beneficiary has not been designated on the deed to succeed to such deceased grantee beneficiary's interest, the transfer, with respect to any such deceased grantee beneficiary, shall lapse.

(2) When the transfer-on-death deed was not made contingent on such grantee beneficiary surviving the record owner and a deceased grantee beneficiary leaves at least one then-surviving issue of such beneficiary upon the death of the owner when such interest would otherwise have lapsed under subsection (c)(1), the interest in the real estate shall not lapse and shall vest on such record owner's death in the then-surviving issue of the deceased grantee beneficiary on a per stirpes basis as successor grantee or grantees.

(d) Any judicial proceeding initiated by an interested party to determine the succession of ownership of real estate of a deceased record owner pursuant to subsection (c) shall be subject to chapter 59 of the Kansas Statutes Annotated, and amendments thereto, to determine descent.

(e) The amendments made to this section by this act shall apply to deeds filed of record on or after July 1, 2023.";

Also on page 10, in line 14, after "59-1507a," by inserting "59-2209,"; also in line 14, by striking "and" and inserting a comma; also in line 14, after "59-2237" by inserting "and 59-2308"; in line 16, by striking "and" and inserting a comma; also in line 16, after "59-2402a" by inserting "and 59-3504";

And by renumbering sections accordingly;

On page 1, in the title, in line 8, after " judge;" by inserting "adjusting time requirements linked to notice by publication and mailing; relating to hearing dates; sales at public auction; clarifying how property held under a transfer-on-death deed is distributed when one beneficiary predeceases the grantor;"; in line 9, after "59-1507a," by inserting "59-2209,"; also in line 9, by striking "and" and inserting a comma; also in line 9, after "59-2237" by inserting "and 59-2308"; in line 11, by striking the first "and" and inserting a comma; also in line 11, after "59-2402a" by inserting "and 59-3504"; and the bill be passed as amended.

HB 2326, As Amended by House Committee, be amended on page 2, following line 24, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 50-6,111 is hereby amended to read as follows: 50-6,111. (a) It shall be unlawful for any such scrap metal dealer, or employee or agent of the dealer, to purchase any item or items of regulated scrap metal in a transaction for which K.S.A. 2022 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller, without demanding and receiving from the seller that information. Every scrap metal dealer shall file and maintain a record of information obtained in compliance with the requirements in K.S.A. 2022 Supp. 50-6,110, and amendments thereto. All records kept in accordance with the provisions of the scrap metal theft reduction act shall be open at all times to law enforcement officers and shall be kept for two years. If the required information is maintained in electronic format, the scrap metal dealer shall provide a printout of the information to law enforcement officers upon request.

(b) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any junk vehicle in a transaction for which K.S.A. 2022 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller,

without:

(1) Inspecting the vehicle offered for sale and recording the vehicle identification number; and

(2) obtaining an appropriate bill of sale issued by a governmentally operated vehicle impound facility if the vehicle purchased has been impounded by such facility or agency.

(c) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase or receive any regulated scrap metal from a minor unless such minor is accompanied by a parent or guardian or such minor is a licensed scrap metal dealer.

(d) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any of the following items without obtaining proof that the seller is an employee, agent or person who is authorized to sell the item on behalf of the governmental entity; utility provider; railroad; cemetery; civic organization; manufacturing, industrial or other commercial vendor that generates or sells such items in the regular course of business; or scrap metal dealer:

- (1) Utility access cover;
- (2) street light poles or fixtures;
- (3) road or bridge guard rails;
- (4) highway or street sign;
- (5) water meter cover;
- (6) traffic directional or traffic control signs;
- (7) traffic light signals;
- (8) any metal marked with any form of the name or initials of a governmental entity;

(9) property owned and marked by a telephone, cable, electric, water or other utility provider;

- (10) property owned and marked by a railroad;
- (11) funeral markers or vases;
- (12) historical markers;
- (13) bales of regulated metal;
- (14) beer kegs;
- (15) manhole covers;
- (16) fire hydrants or fire hydrant caps;
- (17) junk vehicles with missing or altered vehicle identification numbers;
- (18) real estate signs;
- (19) bleachers or risers, in whole or in part;
- (20) twisted pair copper telecommunications wiring of 25 pair or greater existing in 19, 22, 24 or 26 gauge; ~~and~~

(21) burnt wire;

(22) any catalytic converter that has:

(A) A defaced identification mark or owner-applied paint or identification number;

or

(B) been intentionally altered by removing or obliterating the make, model or manufacturer's number; and

(23) any by-product or dust containing platinum, palladium or rhodium.

regulated scrap metal, junk vehicle or vehicle part upon notice from any law enforcement agency, or any of their agents or employees, that they have cause to believe an item has been stolen. A scrap metal dealer shall hold any of the items that are designated by or on behalf of the law enforcement agency for 30 days, exclusive of weekends and holidays.";

Also on page 2, in line 30, after "50-6,109" by inserting ", 50-6,111";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the first semicolon by inserting "providing that certain purchases of catalytic converters and by-products or dust are unlawful under the act,"; in line 4, after "50-6,109" by inserting ", 50-6,111"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2033** be amended on page 1, in line 19, after "(d)" by inserting ""Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a child, members of the child's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns.

(e)";

On page 6, by striking all in lines 17 through 21;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 9, in line 8, by striking "38-"; in line 9, by striking "2202(d)(9)" and inserting "38-2202(e)(9)"; also in line 9, by striking "(d)(10)" and inserting "(e)(10)";

On page 10, in line 3, after "(a)" by inserting ""Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a child, members of the child's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns.

(b)";

On page 13, in line 26, by striking "38-2202(d)" and inserting "38-2202(e)"; by striking all in lines 34 through 37; in line 38, by striking "concerns.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 17, in line 26, by striking "38-2202(d)" and inserting "38-2202(e)"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2019** be amended on page 1, in line 22, after "(b)" by inserting "The provisions of this section shall be limited to the relationship between transportation network companies and transportation network company drivers.

(c)"; and the bill be passed as amended.

Also, **HB 2298**, As Amended by House Committee, be amended on page 1, in line 15, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2346, As Amended by House Committee, be amended on page 2, following line 38, by inserting:

"New Sec. 2. (a) On and after January 1, 2024, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one city of Topeka license plate for each such passenger vehicle or truck. Such

license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and payment to the county treasurer of the flag image payment provided for in subsection (b).

(b) Any motor vehicle owner or lessee may apply annually to use the city of Topeka flag image on a license plate as provided for in this section. Such owner or lessee shall pay an amount of not less than \$25 but not more than \$100 for each such license plate to be issued. The flag image payment shall be paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles. Any applicant for such license plate shall pay to the county treasurer the flag image payment. Application for registration of a passenger vehicle or truck and the issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a city of Topeka license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer the flag image payment. If the annual flag image payment is not provided to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The city of Topeka flag image referred to in subsection (b) was adopted by the city of Topeka governing body on November 12, 2019. The flag was designed through a community input process managed by the greater Topeka partnership, inc. No individual or entity claims intellectual property rights to the city of Topeka flag image. Use of the city of Topeka flag image to be displayed on a license plate shall be designed with the approval of the director of vehicles.

(h) As a condition of receiving the city of Topeka license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, flag image payment amount, plate number and vehicle type to the city of Topeka and the state treasurer.

(i) The collection and remittance of annual flag image payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto, except that payments from the city of Topeka flag image fund shall be made on a monthly basis to the greater Topeka partnership, inc. A change of the city's designee shall occur only by mutual agreement by the city of Topeka and the greater Topeka partnership, inc.

New Sec. 3. (a) On and after January 1, 2024, license plates furnished for a motor vehicle and issued by the division of vehicles shall have designated the county of registration for such motor vehicle. The director of vehicles may either print the

abbreviation of the county of registration directly on the license plate or affix to the license plate by a decal the abbreviation of the county of registration. Except as otherwise provided in subsection (b), the provisions of this section shall apply to:

(1) Any passenger vehicle or truck as defined in K.S.A. 8-126, and amendments thereto, that is subject to taxation pursuant to K.S.A. 79-5101 et seq., and amendments thereto; or

(2) any vehicle that displays a distinctive or personalized license plate.

(b) The provisions of this section shall not apply to distinctive license plates designating a person as a recipient of the congressional medal of honor issued pursuant to K.S.A. 8-1,145, and amendments thereto.";

Also on page 2, in line 40, after "(a)" by inserting "(1) Except as provided in paragraph (2),"; in line 42, by striking "(c)" and inserting "(d)";

On page 3, following line 1, by inserting:

"(2) On and after January 1, 2025, any distinctive license plate may be a personalized license plate subject to the provisions of K.S.A. 8-132, and amendments thereto. Any personalized distinctive license plate shall be subject to a fee that is double the amount prescribed by K.S.A. 8-132(d), and amendments thereto.";

Also on page 3, in line 9, after "thereto" by inserting ", except that such distinctive license plates may be personalized license plates pursuant to subsection (a)(2) if an applicant pays the personalized license plate fee prescribed by K.S.A. 8-132(d), and amendments thereto"; in line 13, after "thereto" by inserting ", except that such distinctive license plates may be personalized license plates pursuant to subsection (a) (2) if an applicant pays the personalized license plate fee prescribed by K.S.A. 8-132(d), and amendments thereto";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "distinctive"; in line 2, after "plate" by inserting "and the city of Topeka distinctive license plate; allowing distinctive license plates to be personalized license plates; requiring certain license plates to have the county of registration for the motor vehicle identified on the plate"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday, March 17, 2023.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

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