

# Journal of the Senate

FORTY-FOURTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Thursday, March 17, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.

The roll was called with 38 senators present.

Senators Doll and O'Shea were excused.

Invocation by Reverend Cecil T. Washington:

St. Patrick's Day: Let The Sacred Remain Sacred  
Matthew 28:19, 2 Corinthians 13:14, 1 Corinthians 13:13

Heavenly Father, in several parts of the world this day is recognized as St. Patrick's Day. And Lord, it's acknowledged by many as a sacred, religious holiday. But as the case usually is, like with Easter and Christmas, the focus gradually becomes less sacred and more secular.

Lord, when I searched for the religious viewpoint I found that St. Patrick, a Catholic Priest, used a three leaf clover called a shamrock as a visual aid in his religious teaching. It was from Your Word, in Matthew 28:19 and again in 2 Corinthians 13:14, that St. Patrick understood the Holy Trinity, the trinity of Your being, that in essence You are one God yet in three persons.

He then used a three leaf clover, called a shamrock, as his visual aid. One clover but three leaves, each leaf separately representing the Father, the Son and the Holy Spirit. And Lord, also in keeping with a sacred theme it is said that the three leaves symbolize the three enduring spiritual gifts of 1 Corinthians 13:13, faith, hope and love. And Lord, when there's a four leaf clover the fourth is said to remind us of blessings from Your Hand which some chose to call good luck.

Unlike the world, Lord, help us keep holy the things that are sacred. I come to You in the Holy Name of Jesus the Christ. 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 570**, AN ACT concerning the secretary of state; relating to biennial filing of business entity reports, associated fees and filing requirements effective January 1, 2023, enacted by 2021 House Bill No. 2391; changing the effective date of such provisions from January 1, 2023, to January 1, 2024; amending K.S.A. 17-1513, 17-1618, 17-2037, 17-4677, 17-5902, 17-7509, 17-7511, 53-601, 56-1a605 and 75-446 and K.S.A. 2021 Supp. 17-2036, 17-2718, 17-4634, 17-6014, 17-7002, 17-7503, 17-7504,

17-7505, 17-7506, 17-7510, 17-7512, 17-76,136, 17-76,139, 17-76,146, 17-76,147, 17-7903, 17-7904, 17-7905, 17-7906, 17-7910, 17-7936, 56-1a606, 56-1a607, 56a-1201 and 56a-1202 and repealing the existing sections; reviving K.S.A. 2021 Supp. 17-7507; also repealing K.S.A. 17-1513, as amended by section 2 of chapter 61 of the 2021 Session Laws of Kansas, 17-1618, as amended by section 3 of chapter 61 of the 2021 Session Laws of Kansas, 17-2037, as amended by section 5 of chapter 61 of the 2021 Session Laws of Kansas, 17-4677, as amended by section 9 of chapter 61 of the 2021 Session Laws of Kansas, 17-5902, as amended by section 10 of chapter 61 of the 2021 Session Laws of Kansas, 17-7509, as amended by section 18 of chapter 61 of the 2021 Session Laws of Kansas, 17-7511, as amended by section 20 of chapter 61 of the 2021 Session Laws of Kansas, 53-601, as amended by section 38 of chapter 61 of the 2021 Session Laws of Kansas, 56-1a605, as amended by section 40 of chapter 61 of the 2021 Session Laws of Kansas, and 75-446, as amended by section 51 of chapter 61 of the 2021 Session Laws of Kansas, and K.S.A. 2020 Supp. 17-2036, as amended by section 4 of chapter 61 of the 2021 Session Laws of Kansas, 17-2718, as amended by section 7 of chapter 61 of the 2021 Session Laws of Kansas, 17-4634, as amended by section 8 of chapter 61 of the Session Laws of Kansas, 17-6014, as amended by section 12 of chapter 61 of the 2021 Session Laws of Kansas, 17-7002, as amended by section 13 of chapter 61 of the 2021 Session Laws of Kansas, 17-7503, as amended by section 14 of chapter 61 of the 2021 Session Laws of Kansas, 17-7504, as amended by section 15 of chapter 61 of the 2021 Session Laws of Kansas, 17-7505, as amended by section 16 of chapter 61 of the 2021 Session Laws of Kansas, 17-7506, as amended by section 17 of chapter 61 of the 2021 Session Laws of Kansas, 17-7510, as amended by section 19 of chapter 61 of the 2021 Session Laws of Kansas, 17-7512, as amended by section 21 of chapter 61 of the 2021 Session Laws of Kansas, 17-76,136, as amended by section 22 of chapter 61 of the 2021 Session Laws of Kansas, 17-76,139, as amended by section 23 of chapter 61 of the 2021 Session Laws of Kansas, 17-76,146, as amended by section 24 of chapter 61 of the 2021 Session Laws of Kansas, 17-76,147, as amended by section 25 of chapter 61 of the 2021 Session Laws of Kansas, 17-7903, as amended by section 27 of chapter 61 of the 2021 Session Laws of Kansas, 17-7904, as amended by section 28 of chapter 61 of the 2021 Session Laws of Kansas, 17-7905, as amended by section 29 of chapter 61 of the 2021 Session Laws of Kansas, 17-7906, as amended by section 30 of chapter 61 of the 2021 Session Laws of Kansas, 17-7910, as amended by section 32 of chapter 61 of the 2021 Session Laws of Kansas, 17-7936, as amended by section 33 of chapter 61 of the 2021 Session Laws of Kansas, 56-1a606, as amended by section 41 of chapter 61 of the 2021 Session Laws of Kansas, 56-1a607, as amended by section 42 of chapter 61 of the 2021 Session Laws of Kansas, 56a-1201, as amended by section 45 of chapter 61 of the 2021 Session Laws of Kansas, and 56a-1202, as amended by section 46 of chapter 61 of the 2021 Session Laws of Kansas, and K.S.A. 2021 Supp. 17-7507, as revived by section 15 of this act, by Committee on Federal and State Affairs.

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

The following bills were referred to Committees as indicated:

Judiciary: **HB 2582, HB 2674.**

Local Government: **HB 2676.**

Ways and Means: **SB 569; HB 2541.**  
 Committee of the Whole: **HCR 5032.**

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**SB 390**, AN ACT concerning elections; relating to handling of ballots by election workers; requiring the secretary of state and county election officers to develop an affidavit to be signed by such workers listing certain information, was considered on final action.

On roll call, the vote was: Yeas 27; Nays 10; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Present and Passing: Faust-Goudeau.

Absent or Not Voting: Doll, O'Shea.

The bill passed, as amended.

### EXPLANATION OF VOTE

Mr. Vice President: I vote "NO" on **Senate Bill 390**. County election officers have chain of custody systems; the Secretary of State has offered to make recommendations for a uniform chain of custody system to be used for all elections in the state. Instead of passing this bill we should take the Secretary up on that offer. The wording in this bill adds unnecessary complexity. Although it is to apply to all ballots, it does not ask for a count of ballot envelopes collected from a drop box. And because the wording does not distinguish between the handling of batches of ballots and handling individual ballots it seems to require an affidavit each time a ballot is transferred. If I go to the election office to vote in advance and spoil my first ballot, does the clerk need to sign an affidavit including my name as the person from whom that spoiled ballot was received? Let's make sure that the affidavits are available to the public, not sealed, and let's not implement a system that might require more affidavits to be signed than votes cast.—

MARCI FRANCISCO

**Sub SB 563**, AN ACT concerning reapportionment; relating to state senatorial districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-4,451, 4-4,453 and 4-4,494, was considered on final action.

On roll call, the vote was: Yeas 28; Nays 8; Present and Passing 2; Absent or Not Voting 2.

Yeas: Alley, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Ryckman, Steffen, Suellentrop, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Corson, Francisco, Holland, Pyle, Straub, Sykes, Tyson.

Present and Passing: Haley, Holscher.

Absent or Not Voting: Doll, O'Shea.

The substitute bill passed.

#### EXPLANATION OF VOTE

Mr. Vice President: I vote "NO" on **Senate Substitute for SB 563**. The committee process for redistricting did not provide adequate notice for comments from other legislators and, more importantly, the public. Comments made during the August listening tour seem to have been ignored including those from my Douglas County Clerk about the difficulties created when voting districts are split. The Liberty Map Three described in this bill does not adhere to many of the guidelines set by the committee and it does split two townships and a total of 24 voting districts. In contrast, the Eisenhower Map, offered as an amendment, does not split any voting districts. Even though all the testimony at the hearing on this bill was in opposition to the Liberty map, no changes were made in response to that testimony and the bill was worked and voted out of committee the same day as the hearing. It takes several days for an amendment on the maps to be reviewed, so putting this bill on General Orders the day after that meeting meant there wasn't time for me to get an amendment to address my concerns over the splits. We can, and should, do better.—MARCI FRANCISCO

Senator Holland requests the record to show he concurs with the "Explanation of Vote" offered by Senator Francisco on **Sub SB 563**.

Mr. Vice President: I vote "NO" on **Sub SB 563**. The Liberty Three Kansas state senate redistricting map, if enacted, would separate the communities of interest (Tonganoxie, east and south Lawrence, Eudora and Baldwin City) currently contained within the boundaries of the existing KS State Third Senate District. Current boundaries were established by a federal district court on June 7th, 2012 following the inability of the Kansas legislature to enact U.S. congressional, state senate and state house districts. During General Orders on March 16th, 2022 I offered an alternative senate redistricting map (Free State 5) for consideration. Bill language and maps defining the amendment can respectively be found at:

1. [fa\\_2022\\_sb563\\_s\\_3724](https://kslegislature.org/fa_2022_sb563_s_3724) (kslegislature.org)
2. [map\\_fa\\_freestate5\\_3724](https://kslegislature.org/map_fa_freestate5_3724) (kslegislature.org)

There were several problems with the redistricting process as conducted by the Kansas Senate Redistricting Committee including logistical inability of legislators not assigned to the committee to prepare both bills and floor amendments for debate. The proposed 9th District is less compact as assessed by all 10 measures of compactness. The proposed 19th District boundaries attempt to establish a community of interest between east Topeka (urban) and north Lawrence (suburban); such a community does not exist.—TOM HOLLAND

Mr. Vice President: I vote "YES" on **Sub SB 563**. The opportunity to represent the great people of a now expanded District 34 is an incredible honor. To gain southern Kingman County and its Chikaskia River, Lumber Yard Restaurant and Outfitter Extraordinaire and Bill Suenram among others is so exciting. The hidden gem of Kansas and my new county is Barber County. With its deep canyons and lush grass, Barber County is straight out of a Clint Eastwood western. Medicine Lodge, the County Seat, is as fine a community as Kansas knows. A history steeped in Native American lore, oil and gas and agriculture, it is home to many friends and business acquaintances

from my college days at nearby Northwestern to my current foray in the oilfield. Mark and Tina Buck, Nicholas Water Service and Mid-West Oilfield Services are a sampling of the great folks that make Medicine Lodge and Barber County home. For the second time in thirty-six years, I have out-kicked my coverage.—Mark Steffen

**HB 2478**, AN ACT concerning roads and highways; designating a portion of United States highway 166 as the SGT Evan S Parker memorial highway; designating a portion of U.S. highway 56 as the PFC Shane Austin memorial highway, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Doll, O'Shea.

The bill passed, as amended.

#### MESSAGE FROM THE HOUSE

Announcing passage of **HB 2528**, **HB 2712**.

Announcing passage of **SB 335**, **SB 392**; **Sub SB 400**.

Announcing passage of **SB 348**, as amended; **SB 408**, as amended; **SB 366**, as amended.

#### INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

**HB 2528**, **HB 2712** were thereupon introduced and read by title.

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

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

#### CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Hilderbrand the Senate nonconcurred in the House amendments to **SB 348** and requested a conference committee be appointed.

The Vice President appointed Senators Hilderbrand, Gossage and Pettey as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 366** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Haley as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 408** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Haley as a conference committee on the part of the Senate.

**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 Dietrich in the chair.

On motion of Senator Dietrich the following report was adopted:

**HB 2508** be amended by motion of Senator Warren; on page 1, in line 35, after "(d)" by inserting "(1)";

On page 2, following line 8, by inserting:

"(2) Any intentional disclosure of such information in violation of this section is a class A nonperson misdemeanor." amended; and the bill be passed as amended.

**HB 2540** be amended by motion of Senator Olson; on page 1, in line 28, by striking "Kansas register" and inserting "statute book"; and the bill be passed as amended.

**SB 529** be amended by the adoption of the committee amendments, and the bill be passed as amended.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 529**; **HB 2508**, **HB 2540** were advanced to Final Action and roll call.

**SB 529**, AN ACT concerning nondriver's identification cards; providing for the electronic renewal thereof; amending K.S.A. 2021 Supp. 8-1324 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Doll, O'Shea.

The bill passed, as amended.

**HB 2508**, AN ACT concerning criminal history record information; requiring the retention of fingerprint information; participation in the rap back program; limiting access to fingerprints and records relating to fingerprints.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Doll, O'Shea.

The bill passed, as amended.

**HB 2540**, AN ACT authorizing the construction of a permanent memorial honoring Kansas gold star families on the state capitol grounds; establishing the Kansas gold star families memorial fund.

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

Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Doll, O'Shea.

The bill passed, as amended.

### CHANGE OF REFERENCE

An objection having been made to **HB 2537, HB 2607** appearing on the Consent Calendar, the President directed the bill be removed and placed on the calendar under the heading of General Orders.

### REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **Substitute for HB 2466** be amended on page 1, in line 34, by striking "high" and inserting "secondary";

On page 2, in line 9, by striking "high" and inserting "secondary"; in line 15, by striking "high" and inserting "secondary";

On page 1, in the title, in line 3, by striking "high" and inserting "secondary"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2489**, as amended by House Committee, be amended on page 2, in line 30, after "of" by inserting "the";

On page 4, in line 9, after "(12)" by inserting "'out-of-state bank" means a national or state bank, savings and loan association or savings bank not incorporated under the laws of Kansas;

(13) "out-of-state financial institution" means an out-of-state bank or an out-of-state trust company;

(14) "out-of-state trust company" means a national or state trust company not incorporated under the laws of Kansas;

(15)";

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

On page 5, in line 40, after "(b)" by inserting "(1)"; also in line 40, after "No" by inserting "Kansas-chartered state"; also in line 40, after the comma by inserting "Kansas-chartered state"; following line 42, by inserting:

"(2) Except as otherwise provided by this subsection, any trust company whose application has been approved in accordance with this section and any out-of-state trust company engaging in fidfin transactions in this state shall be considered a fiduciary financial institution for the purposes of this act, shall have all rights and powers granted to a fiduciary financial institution under this act and shall owe all duties and obligations imposed on fiduciary financial institutions under this act, including, but not limited to, the fiduciary duties imposed under K.S.A. 2021 Supp. 9-2311 and 9-2313, and amendments thereto, and the requirements of K.S.A. 2021 Supp. 9-2302(c)(5) and (6), and amendments thereto.

(3) Any bank whose application has been approved in accordance with this section

and any out-of-state bank that engages in fidfin transactions in this state shall have a separate department for handling fidfin transactions. Except as otherwise provided by this subsection, such separate department shall be considered a fiduciary financial institution for the purposes of this act, shall have all rights and powers granted to a fiduciary financial institution under this act and shall owe all duties and obligations imposed on fiduciary financial institutions under this act, including, but not limited to, the fiduciary duties imposed under K.S.A. 2021 Supp. 9-2311 and 9-2313, and amendments thereto, and the requirements of K.S.A. 2021 Supp. 9-2302(c)(5) and (6), and amendments thereto.

(4) Notwithstanding the provisions of paragraphs (2) and (3):

(A) A bank or trust company whose application has been approved in accordance with this section or an out-of-state financial institution that engages in fidfin transactions in this state shall not be subject to the provisions of K.S.A. 2021 Supp. 9-2305, 9-2306 or 9-2308, and amendments thereto; and

(B) the commissioner shall not examine or require applications, reports or other filings from an out-of-state financial institution that is subject to oversight of such financial institution's fidfin transactions by a governmental agency of the jurisdiction that chartered the out-of-state financial institution.";

On page 11, following line 14, by inserting:

"Sec. 4. K.S.A. 2021 Supp. 9-2304 is hereby amended to read as follows: 9-2304.

(a) To the extent a conflict does not exist between this act and chapter 9 of the Kansas Statutes Annotated, and amendments thereto, except as provided in subsections (b), (c) and (e), the provisions of chapter 9 of the Kansas Statutes Annotated, and amendments thereto, shall apply to a fiduciary financial institution in the same manner as it applies to a trust company except that references in chapter 9 of the Kansas Statutes Annotated, and amendments thereto, to:

- (1) "Capital stock" includes membership capital and partner capital;
- (2) "stock" includes membership units and partnership interests;
- (3) "common stock" includes common units and common interests;
- (4) "preferred stock" includes preferred units and preferred interests;
- (5) "stockholders" includes members and partners;
- (6) "articles of incorporation" includes articles of organization and articles of limited partnership;
- (7) "incorporation" includes organization;
- (8) "corporation" includes company and partnership;
- (9) "corporate" includes company and partnership;
- (10) "trust business" and "business of a trust company" includes fidfin and fiduciary financial institution business; and
- (11) K.S.A. 9-901a(a), and amendments thereto, means K.S.A. 2021 Supp. 9-2305, and amendments thereto.

(b) For a Kansas-chartered state trust company that receives authority to engage in fidfin transactions under K.S.A. 2021 Supp. 9-2302(b), and amendments thereto, the provisions of subsection (a) shall not apply, however, references in chapter 9 of the Kansas Statutes Annotated, and amendments thereto, to "trust business" and "business of a trust company" include fidfin and fiduciary financial institution business.

(c) For a Kansas-chartered state bank that receives authority to engage in fidfin transactions under K.S.A. 2021 Supp. 9-2302(b), and amendments thereto, the



provisions of subsection (a) shall not apply, however, the provisions of chapter 9 of the Kansas Statutes Annotated, and amendments thereto, shall apply in the same manner as they would apply to a trust department of such bank, except that references in chapter 9 of the Kansas Statutes Annotated, and amendments thereto, to "trust business" and "business of a trust company" include fidfin and fiduciary financial institution business.

(d) (1) Except as provided in paragraph (2), if any conflict exists between any provisions of chapter 9 of the Kansas Statutes Annotated, and amendments thereto, and this act, the provisions of this act shall control.

(2) If the fiduciary financial institution is a bank department or trust company that received authority to engage in fidfin transactions under K.S.A. 2021 Supp. 9-2302(b), and amendments thereto, the provisions of this act shall only control with regard to fidfin transactions as authorized under K.S.A. 2021 Supp. 9-2302(b), and amendments thereto.

(e) The provisions of this section shall not apply to an out-of-state financial institution.";

On page 22, in line 29, before "9-2306" by inserting "9-2304,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, before "fees" by inserting "out-of-state financial institutions; imposing certain fiduciary duties and charitable distribution requirements on financial institutions engaging in fiduciary financial institution business; requiring banks to conduct fidfin transactions through a separate department; exempting financial institutions from certain provisions of the technology-enabled fiduciary financial institutions act; establishing"; in line 7, before "9-2306" by inserting "9-2304,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2517**, As Amended by House Committee, be amended on page 6, in line 36, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 460** be passed.

Also, **HB 2386**, as amended by House Committee, be amended on page 5, in line 30, after the semicolon by inserting "and"; in line 33, by striking all after "method"; by striking all in line 34; in line 35, by striking all before the period; and the bill be passed as amended.

Committee on **Transparency and Ethics** recommends **SB 485** be amended on page 1, in line 31, after "services" by inserting "when such expenses are incurred as a result of the candidate's candidacy for office or holding office and are directly related to or have an effect on the candidate's campaign activities or duties as an office holder";

On page 2, in line 6, by striking "18" and inserting "13"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2458** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2458," as follows:

"Senate Substitute for HOUSE BILL NO. 2458

By Committee on Transportation

"AN ACT concerning driver's licenses; relating to vision requirements; limiting the liability of optometrists and ophthalmologists who provide information to the division of vehicles; amending K.S.A. 8-295 and repealing the existing section.";

And the substitute bill be passed.

Also, **HB 2476** be amended on page 2, following line 31, by inserting:

"New Sec. 3. (a) On and after January 1, 2023, any owner or lessee of one or more passenger vehicles, motorcycles 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 a Kansas department of wildlife and parks license plate established pursuant to this section for each such passenger vehicle, motorcycle or truck. Such license plate 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 the payment to the county treasurer of the wildlife and parks license plate royalty payment established pursuant to this section.

(b) Any applicant or renewal for a Kansas department of wildlife and parks license plate authorized by this section shall make an annual payment of a wildlife and parks license plate royalty payment of an amount determined by the secretary of the Kansas department of wildlife and parks of not less than \$40 nor more than \$100. Payment of such wildlife and parks license plate royalty payment shall be made to the county treasurer for each such license plate to be issued.

(c) Subject to the approval of the director of vehicles, the Kansas department of wildlife and parks is authorized to establish four new distinctive license plates. Each such plate shall be subject to the provisions of K.S.A. 8-1,141, and amendments thereto. The plates are intended to depict and promote the following:

- (1) State parks;
- (2) hunting;
- (3) fishing; and
- (4) nongame wildlife.

(d) Any person may make an application for a license plate authorized by this section 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, and any applicant for such license plate shall pay to the county treasurer the wildlife and parks license plate royalty payment. Application for registration of a passenger vehicle, motorcycle or truck and 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.

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

(f) The director of vehicles may transfer a Kansas department of wildlife and parks license plate from a leased vehicle to a purchased vehicle.

(g) Renewals of registration under this section shall be made annually, upon payment of the regular license fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer the payment of the wildlife and parks license plate royalty payment. If such annual wildlife and parks license plate royalty payment is not made 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.

(h) As a condition of receiving the Kansas department of wildlife and parks 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, royalty payment amount, plate

number and vehicle type, to the Kansas department of wildlife and parks and the state treasurer.

(i) Annual wildlife and parks license plate royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Of each deposit, amounts shall be credited as follows:

(1) For license plates issued pursuant to subsection (c)(1), the entire annual wildlife and parks license plate royalty payment shall be credited to the parks fee fund created by K.S.A. 32-991, and amendments thereto; and

(2) for license plates issued pursuant to subsections (c)(2), (3) and (4):

(A) An amount equal to the current cost of an annual park and recreation motor vehicle permit that is established according to K.S.A. 8-134, and amendments thereto, shall be credited to the parks fee fund created by K.S.A. 32-991, and amendments thereto; and

(B) the balance remaining after crediting pursuant to subparagraph (A) shall be credited to the wildlife fee fund created by K.S.A. 32-990, and amendments thereto.";

On page 4, following line 31, by inserting:

"Sec. 6. K.S.A. 32-901 is hereby amended to read as follows: 32-901. (a) (1) Except as otherwise provided by law or rules and regulations of the secretary, a valid park and recreation motor vehicle permit is required to use a motor vehicle in any state park, or any portion thereof, or in any other area designated by the secretary pursuant to subsection (f), which is posted in accordance with subsection (g).

(2) A motor vehicle issued a license plate pursuant to section 3, and amendments thereto, shall constitute a permit allowing the driver of the motor vehicle the rights and obligations to enter a state park as if the driver were an annual permit holder established pursuant to this section in the event that the motor vehicle:

(A) Is currently registered and such registration is not expired; and

(B) has been issued a license plate pursuant to section 3, and amendments thereto, and the vehicle displays such plate on the motor vehicle as required by law.

(b) (1) The secretary shall issue annual and daily park and recreation motor vehicle permits, in addition to permits as provided in K.S.A. 8-134, and amendments thereto.

(2) The annual permit shall be issued for each calendar year as provided in K.S.A. 32-983, 32-984 and 32-985, and amendments thereto, and shall not be transferable. The fee for an annual permit shall be fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto. A duplicate permit may be issued upon proof of loss of the original permit for the remainder of the calendar year for a fee fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto. If the motor vehicle for which an annual permit has been issued is sold or traded during the calendar year for which the permit was issued and the original permit is surrendered to the department, a new permit effective for the remainder of the calendar year may be issued to the person who sold or traded the motor vehicle for a fee fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto. Before any duplicate or new permit is issued, the purchaser thereof must show by evidence that the purchaser was issued the original permit and that the purchaser is the holder of a valid certificate of title to the motor vehicle for which the duplicate or new permit is issued.

(3) A daily permit shall be issued for a day, shall be issued for a specific vehicle and shall not be transferable. The fee for such a daily permit shall be fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto.

(c) Except as provided in K.S.A. 8-134, and amendments thereto, the following fees shall be applicable until changed by rules and regulations of the secretary:

(1) Annual motor vehicle permit: \$22.50;

(2) daily motor vehicle permit: \$3.50; and

(3) the fee for a daily permit or annual permit for a motor vehicle registered in Kansas by a resident who is 65 or more years of age or who is a person with a disability and displays a special license plate or placard issued pursuant to K.S.A. 8-1,125, and amendments thereto, shall be an amount equal to  $\frac{1}{2}$  the fee fixed by the secretary for daily or annual park and recreation motor vehicle permits. A nonresident shall pay the full fee.

(d) The provisions of subsection (a) do not apply to:

(1) A motor vehicle used in the operation or maintenance of state parks or other areas under the secretary's control, emergency motor vehicles, state-owned motor vehicles, law enforcement motor vehicles or private or government motor vehicles being operated on official business for a governmental agency;

(2) a motor vehicle of a nonresident who secures a special fee, license or permit required by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto, relating to the use of the park or other area;

(3) a motor vehicle for which a special permit or pass has been issued pursuant to subsection (d);

(4) a motor vehicle in a state park or other area to which subsection (d) applies on dates designated pursuant to subsection (e); or

(5) a motor vehicle in an area or at a time not designated pursuant to subsection (f) as an area or time which requires a permit.

(e) The secretary may issue a special permit or pass for a motor vehicle used for the purpose of sightseeing, attending a church service, attending an approved special event by members of the news media or emergency reasons, as provided by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto.

(f) The secretary may designate by resolution two days each calendar year during which persons may use motor vehicles in state parks and other areas under the secretary's control without having a valid park and recreation motor vehicle permit.

(g) (1) The secretary shall designate the state parks and other areas under the secretary's control, or portions thereof, and the time periods in which motor vehicle permits shall be required hereunder.

(2) The secretary shall cause signs to be posted and maintained at the entrances to all such designated state parks or other areas, or portions thereof, which signs shall display a legend that a motor vehicle entering and using the state park or area, or portion thereof, is required to display on the motor vehicle a permit of the type described in this section.

(h) All fees, licenses and other charges, and rules and regulations relating to the use of and conduct of persons in a state park or other area under the secretary's control, or any facility therein, shall be posted in a convenient and conspicuous place in each such

park, area or facility. Except as otherwise provided in this section, each and every person using any such park, area or facility shall be charged the same fees, licenses and every other charge.";

Also on page 4, in line 32, before "K.S.A." by inserting "K.S.A. 32-901 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "providing for four distinctive license plates for the Kansas department of wildlife and parks;"; also in line 3, after "amending" by inserting "K.S.A. 32-901 and"; and the bill be passed as amended.

**HB 2483** be amended on page 2, following line 35, by inserting:

"Sec. 2. (a) On and after January 1, 2023, 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 order of the eastern star license plate for each such passenger vehicle or truck. Such license plate 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 either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The order of the eastern star may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee may apply annually to the order of the eastern star for use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 to the order of the eastern star as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) The order of the eastern star, which shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) 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, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and 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 an order of the eastern star 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 subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or faxed

by the order of the eastern star, or the annual royalty payment is not made 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 order of the eastern star shall provide to all county treasurers an electronic mail address where applicants can contact the order of the eastern star for information concerning the application process or the status of such applicant's license plate application.

(h) The order of the eastern star, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the order of the eastern star 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, royalty payment amount, plate number and vehicle type, to the order of the eastern star and the state treasurer.

(j) The collection and remittance of annual royalty payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "plate" by inserting "and the order of the eastern star license plate"; and the bill be passed as amended.

**HB 2595** be amended on page 1, in line 30, by striking "having" and inserting "with"; in line 31, by striking "prior to"; also in line 31, by striking "1960" and inserting "50 years old or older"; in line 35, by striking the second "of"; in line 36, by striking all before the comma and inserting "newer than 50 years";

Also on page 1, in the title, in line 3, by striking "of 1960 or later instead of 1950 or later" and inserting "newer than 50 years"; and the bill be passed as amended.

On motion of Senator Alley, the senate adjourned pro forma until 9:30 a.m. March 18, 2022.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

