

2023 SENATE SCENE WEEK ELEVEN

SENATE HIGHLIGHTS - WEEKLY OVERVIEW

This week the Senate concluded committee meetings; there are a total of 16 standing committees in the Senate. Monday will start a three-day week to complete the regular part of the 2023 legislative session. After the conclusion of the regular session with conference committee action the next week, the legislature is scheduled to take a two-week break before returning for the veto session to wrap up in late April.

SENATE CONFIRMATION

The Kansas Senate on Thursday confirmed three appointments recommended by the Governor - Kansas Air National Guard Commander: Jason Knobbe; Department of Administration Secretary: Adam Proffitt; and, the Kansas Historical Society Executive Director: Patrick Zollner.

SENATE FLOOR ACTION

[SB 155](#) – 2023 SENATE BUDGET

The budget vote is the first step of many in the annual budget process with the Ways & Means Committee delaying action on several items to be reviewed at conference and some at omnibus. The final budget will include appropriated monies for the final tax plans that are adopted as well as any new expenditures that may be passed, such as a presidential primary. One item of note that the committee delayed for review at omnibus, is an additional pay increase for state employees on top of the 5% that was passed last year. There is significant support for this item to ensure we're taking care of our state employees, particularly with persistent inflation and costs of living, so it remains a viable point of discussion. An amendment was added making a cut to agencies NOT INCLUDING health, safety, or K-12 education by just 3.25% to save \$97 million. Another amendment was added transferring \$1.8 million from idle funds (meaning they are currently unused) in the Department of Corrections to help bring the pay for Targeted Case Managers for those with Intellectual Development Disabilities to \$75/hour. **The budget passed by a vote of 23-12. I voted yes.**

[HB 2344](#) - Establishing child care licensing requirements relating to license capacity and staff-to-child ratios, eliminating certain license fees and training requirements, creating a process for day care facility licensees to apply for temporary waiver of certain statutory requirements and authorizing the secretary to develop and operate pilot programs to increase child care facility availability or capacity. **HB 2344 passed 21-17. I voted yes.**

[SCR 1607](#) - Convention of States - serves as Kansas' application to Congress, under the provisions of Article V of the U.S. Constitution, for the purpose of calling a convention of the states. The convention would be limited to proposing amendments to the U.S. Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for members of Congress and officials. SCR 1607 did win a majority support in the Senate, but the Kansas Constitution requires Article V matters to be approved by 2/3 of each chamber of the legislature. **SCR 1607 was declared failed 22-16, as a result of two-thirds majority provision under the Kansas Constitution. I voted yes.**

[HB 2197](#) would amend provisions in the First-time Home Buyer Savings Account Act to clarify the process for the designation and determination of an account holder's payable on death beneficiary. The bill would also enact law supplemental to the Act to authorize the State Treasurer to market the First-time Home Buyers Savings Account Program to account holders and financial institutions. ***HB 2187 passed 36-1. I voted yes.***

[HB 2262](#) would amend the educational requirements for embalmers, allowing for students to complete 6 months of a required 12-month apprenticeship before enrolling in a mortuary science school. ***HB 2262 passed 38-0. I voted yes.***

[HB 2332](#) would update the Kansas Department of Wildlife and Parks (KDWP) statutes to reflect Executive Reorganization Order (ERO) No. 48 that became effective on July 1, 2021. ERO No. 48 transferred the Division of Tourism and the Office of the Director of Tourism from KDWP to the Department of Commerce. The bill would also make technical amendments. ***HB 2332 passed 38-0. I voted yes.***

[HB 2015](#) would authorize the designee of an employing agency or entity to petition the court for an order requiring infectious disease testing, requiring such petition to contain a physician's statement that the test results sought are required for the exposed employee's medical treatment. ***HB 2015 passed 33-5. I voted yes.***

[HB 2020](#) would add to employment-related law that a requirement for or use of a motor carrier safety improvement will not affect or change the worker status of a driver. ***HB 2020 passed 35-1. I voted yes.***

[HB 2065](#) would modify law governing name changes during a divorce to allow the court to change a spouse's name to a name other than the spouse's former name at the request of the spouse and to give the court jurisdiction to make such a change at or after the time the decree of divorce becomes final. ***HB 2065 passed 36-2. I voted yes.***

[HB 2089](#) would modify requirements for reporting individuals who solicit memberships on behalf of prepaid service plans from semi-annually to annually. The bill would also discontinue payment of annual registration fees. ***HB 2089 passed 36-2. I voted yes.***

[HB 2090](#) would amend provisions in the Uniform Insurance Agents Licensure Act and the Public Adjusters Licensing Act to allow the Commissioner of Insurance to set fees in an amount lower than the maximum amount of the fees established in law. The bill would also amend fingerprinting criteria for resident agents. ***HB 2090 passed 36-2. I voted yes.***

[HB 2042](#) would add self-storage unit operators to the list of persons who may direct the towing of a vehicle and permit the operators to have motor vehicles, trailers, and watercraft towed when the occupant of the storage space is in default for a period of 60 days. ***HB 2042 passed 38-0. I voted yes.***

[HB 2092](#) would change the boundaries of member districts for the Washburn University board of regents appointees, from describing them using Topeka's Senate districts to groupings of city

council districts: The bill also would make technical amendments to reflect this change and clarify phrasing. ***HB 2092 passed 38-0. I voted yes.***

[HB 2093](#) would establish the Group-funded Pools Refund Fund and amend and repeal law to eliminate assessments paid by municipal group-funded liability pools and group-funded workers' compensation pools in order to refund existing balances in two associated fee funds and wind down such funds. ***HB 2093 passed 38-0. I voted yes.***

[HB 2094](#) would amend law relating to the financial documentation demonstrating fiscal soundness that must be submitted by a health maintenance organization or a Medicare provider organization when applying for a certificate of authority to provide health care in the state. ***HB 2094 passed 38-0. I voted yes.***

[HB 2130](#) would amend law in the Kansas Probate Code concerning certain dollar amount limits and thresholds referenced in the Code, transfer-on-death deeds, and publication of notice of probate hearings and sales of probate real estate. ***HB 2130 passed 38-0. I voted yes.***

[HB 2131](#) would provide that the mission of the Kansas Judicial Council is to study the administration of justice in Kansas and make recommendations for improvements therefor. ***HB 2131 passed 38-0. I voted yes.***

Full texts of the bills and supplemental notes as well as the Final Action vote on these measures can be found at www.kslegislature.org

SAVING FOR COLLEGE: The new 529-to-Roth IRA transfer rule. [From the Journal of Accountancy](#): The most common argument against starting Sec. 529 college savings programs (529 plans) for young children is the uncertainty surrounding whether the child will even attend college and, if they do, whether they will need the funds in the event of qualifying for scholarships or other financial aid. Section 126 of the recently passed SECURE 2.0 Act of 2022 (part of the Consolidated Appropriations Act, 2023, P.L. 117-328) alleviates some of this concern by introducing a special rule allowing distributions from 529 plans to Roth IRAs. This essentially allows unused college savings to be transferred to a beneficiary's retirement savings without taxes or penalties. The new distribution rule takes effect in 2024.

Thank you for the honor of serving you!

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